Charter and Ordinances City of New Britain

THE

CHARTER AND REVISED ORDINANCES

OF THE

CITY OF NEW BRITAIN,

CHARTER OF THE WATER WORKS,

AND

STANDING RULES OF THE COMMON COUNCIL.

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CHARTER

OF THE

CITY OF NEW BRITAIN.

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CHARTER

OF THE

CITY OF NEW BRITAIN.

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Resolved by this Assembly:

City limits.

SECTION 1. All the inhabitants, being electors of this state, dwelling in the town of New Britain, within the following limits, to wit:

Commencing at a stone monument three hundred rods due west from the center front wall of the high school building in said town; thence running due north in a straight line three hundred and seventy-five (375) rods and ten and one-half feet to a monument; thence at right angles due east in a straight line six hundred (600) rods to a monument; thence due south in a straight line parallel with said west line to the southerly limits of said town at a stone monument; thence westerly on said

southerly limit of said town to a stone monument; thence due north in a straight line parallel with said east line to the place of the beginning, being the community hitherto incorporated and known under the name of the City of New Britain are hereby constituted and declared to be and remain forever one and the same body politic and corporate, by the name of the City of New Britain; to have perpetual succession, to be one person capable of suing and being sued, pleading and being impleaded in all suits whatsoever, and of purchasing, holding, and conveying any estate, real and personal, to have a common seal, with power to change the same, and to hold and exercise such powers and privileges exercised by said city as are perpetuated herein, together with all the additional powers and privileges herein and hereby conferred.

Corporate name

Powers.

SEC. 2. The City of New Britain is and shall continue to be divided into six wards, designated and bounded as follows, to wit:

First ward limits: So much of said city as lies southerly and westerly of a line commencing at the western limit of said city and in the center of Hart street, so called; thence easterly on the center of said Hart street to the center of Arch street; thence northerly on the center line of said Arch street to the center of Main street; thence on the center line of said Main street to the center of South Main street; thence on the center line of said South Main street to the southern limit of said city, shall constitute and remain the first ward.

First ward limits.

Second ward limits: So much of said city as lies easterly and southerly of a line commencing at the southern limit of said city and in the center of South Main street, running thence in the easterly boundary of said first ward to the center of Park street; thence easterly on the ceuter line of said Park street continuing in a straight line to the eastern limits of said city, shall constitute and remain the second ward.

Second ward limits.

Third ward limits: So much of said city as lies northerly, easterly, and southerly of a line commencing at the same point in the western limit of said city heretofore described as the point where the boundary of the first ward commences, running thence on the northerly boundary of said first ward to the center of Arch street; thence northerly along the westerly boundary of said first ward to the center of Main street; thence northerly along

Third ward limits.

the center line of said Main street to the center of Myrtle street; thence westerly along the center line of said Myrtle street continuing in a straight line to the western limit of said city, shall constitute and remain the third ward.

Fourth ward limits.

Fourth ward limits: So much of said city as lies westerly, northerly, and southerly of a line commencing at the same point in the easterly limit of said city heretofore described as the point where the boundary of the second ward ends; thence running on the northerly boundary of the second ward to the center of Main street; thence northerly along the northerly boundary of the first ward and the easterly boundary of the third ward and on the center line of said Main street to the center of East Main street; thence running easterly on the center line of East Main street to the eastern limit of said city, shall constitute and remain the fourth ward.

Fifth ward limits.

Fifth ward limits: So much of said city as lies northerly and westerly of a line commencing at the same point in the western limit of said city where the boundary of the third ward ends, running thence easterly on the northerly boundary of the third ward to the center of Main street; thence northerly along the westerly boundary of the fourth ward and the center line of Main street to the center of North street; thence easterly on the center line of North street to the center of Sexton street; thence northerly on the center line of said Sexton street to the center of Lasalle street, so called; thence westerly on the center line of Lasalle street to the center of McClintock road, so called; thence northerly on the center line of said McClintock road, so called, to the northerly limit of said city, shall constitute and remain the fifth ward.

Sixth ward limits.

Sixth ward limits: So much of said city as lies northerly and westerly of a line commencing at the same point in the eastern limit of said city where the boundary of the fourth ward ends; thence running westerly on the northerly boundary of the fourth ward to the center of Main street; thence northerly on the easterly boundary of the fifth ward to the center of North street; thence easterly on the southerly boundary of the fifth ward to the center of Sexton street; thence northerly on the easterly boundary of said fifth ward to the center of Lasalle street, so called; thence westerly on the northerly boundary of said fifth ward to the center of McClintock road, so called; thence northerly on

the easterly boundary of said fifth ward to the northern limits of said city, shall constitute and remain the sixth ward.

Voters qualifications.

SEC. 3. Every elector of this state who shall have statedly and continuously resided in said city six months shall thereafter, while such residence continues, and while his name is registered as hereinafter provided, be entitled to vote at all meetings of said city and all meetings of the ward in which he may reside; *provided*, that whenever any such voter shall have changed his residence from one ward into another during the thirty days preceding a meeting for the election of any officer, or officers, he shall not be entitled to vote at such meeting in the latter ward, but shall be entitled to vote at such meeting in the former ward in the same manner as though he had not removed therefrom.

Annual elections.

SEC. 4. At the annual election held on the second Tuesday of April, A. D. 1896, and every second year thereafter, the voters of the city shall elect from their number, by plurality of ballots, a mayor, clerk, treasurer, auditor, collector, and a sheriff for the city at large, who shall hold their respective offices for the term of two years commencing at noon of the third Tuesday of April, and until their successors are elected and qualified.

City officers.

Councilmen, election of

On the second Tuesday of April, A. D. 1896, the voters resident in each of said wards shall elect, by plurality of ballots from among their number, two councilmen for each ward, who shall hold their respective offices for one year, commencing at noon on the third Tuesday of said April, and until their successors are elected and qualified.

On the second Tuesday of April, A. D. 1896, the voters resident in each ward of said city shall elect, by plurality of ballots from among their number, two councilmen for each ward, who shall hold their respective offices for the term of two years commencing at noon of the third Tuesday of said April, and until their successors are elected and qualified.

At the elections hereinbefore specified to be held on the second Tuesday of April, A. D. 1896, the ballots shall specify the councilmen voted for for one year, and the councilmen voted for for two years, and annually thereafter, two councilmen shall be elected from each ward, to hold their offices for the term of two years from and after the third Tuesday of April at noon next succeeding said annual election, and until their successors are elected and qualified.

Second, fourth and sixth ward aldermen, when elected.

On said second Tuesday of April, A. D. 1896, and biennially thereafter, the voters resident in the second, fourth, and sixth wards of said city shall elect, by plurality of ballots from among their number, one alderman in each of said wards, who shall hold their respective offices for the term of two years commencing at noon of the third Tuesday of April next succeeding said annual election, and until their successors are elected and qualified.

First, third and fifth ward aldermen, when elected.

On the second Tuesday of April, A. D. 1896, the voters resident in the first, third, and fifth wards of said city shall elect, by plurality of ballots from among their number, one alderman in each of said wards, who shall hold their offices for the term of one year, commencing at noon of the third Tuesday of April, A. D. 1896, and until their successors are elected and qualified. And on the second Tuesday of April, 1897, and biennially thereafter, the voters resident in the first, third, and fifth wards shall elect, by plurality of ballots from among their number, one alderman in each of said wards, who shall hold their respective offices for the term of two years from and after the third Tuesday of April at noon next succeeding said annual election, and until their successors are elected and qualified.

At the election held on the second Monday of April 1895, under the provisions of the present city charter, the city officers, including aldermen and councilmen, then elected, shall hold office for the term of one year from and after the third Monday of April, 1895, and until their successors are elected and qualified.

Residence of city officers.

All officers elected by the city at large shall be residents of said city, and all officers of the several wards shall be residents of such wards, and shall vacate their offices by removal therefrom.

Vacancy on tie vote, how filled.

SEC. 5. Whenever at any such meeting there shall be no election to an office, by reason of a tie vote, then said meeting shall stand adjourned to the next following Tuesday at the same hour as when first held, and the election to fill such office shall be proceeded with in the same manner and upon the same registry list as on said first day.

Vacancy in elective office, how filled.

When any vacancy shall occur in any elective office of said city, the common council shall fill said vacancy; if in the office of mayor, from one of the aldermen of said city; if in the board of common council, from the electors of the ward in said city from which the former incumbent of said office was chosen; if

in any other elective office, from the electors of said city; a plurality of ballots shall be sufficient to elect. Any person or persons so elected shall fill the unexpired term and perform all the duties pertaining to said office. All meetings for the purpose of filling any such vacancy shall be called and warned by the mayor of said city for that purpose, excepting in case the vacancy to be filled is in the office of mayor, when such meeting shall be called as aforesaid by the clerk of said city. Each new council shall choose, by a majority of ballots from among the aldermen duly elected and qualified, a president *pro tempore* of the common council, who shall perform such duties as may be hereinafter prescribed. The officers of said city, whether appointed or elected, shall hold their offices for their respective terms and until their successors are chosen and qualified, unless removed for cause.

Council to choose a president *pro tem.*

City officers, term of office.

SEC. 6. The registrars of voters of the town of New Britain, in making out the lists now required by law to be made by them, shall group the names of the electors residing in said city under the voting districts in which they respectively reside, and shall arrange the lists of such voting districts in the alphabetical order of the streets in which they reside and according to the number of the residence of each, so that all the voters residing at any and every number on each and every street shall appear on such lists consecutively opposite such number; and it shall be the duty of said registrars to prepare from such registry lists, separate lists, authenticated by their signatures, of the electors in each ward, for the use of their deputies in such ward, in performing which duty said registrars shall simply transfer to such separate ward lists the names of electors that appear on the town list as residing in such wards; such lists shall be prepared at the expense of said city, and shall be delivered to such deputies before sunset of the day preceding the annual election.

Duties of registrars.

Ward voting lists.

SEC. 7. Whenever any annual meeting for the choice of city officers, or any meeting where a vote is to be taken by ballot in the wards of said city, is to be held, the registrars whose duty it is to prepare the registry list or lists, for electors' meetings in the town of New Britain, shall prepare a list as nearly perfect as is practicable, of the names of the persons entitled to vote in each and every ward of said city at the said city meeting, and of the street in which each person resides, and when-

Registrars to make voting lists.

ever the residence of such person is numbered, the number thereof, which names shall be numerically arranged under their respective streets, in the alphabetical order of such streets in the manner set forth in section 6; for which services said registrars shall be paid a reasonable compensation from the city treasury, not exceeding four hundred dollars each; said list or lists shall be delivered by said registrars to the city clerk at least three days prior to such meeting, and shall be open to the inspection of any elector of the said city. The presiding officer of every ward meeting may receive the votes of all persons whose names are on the ward list prepared as aforesaid, unless the right of any such person to vote at such ward meeting is challenged, in which case said presiding officer shall, before receiving such vote, if requested by the challenger, make due inquiry into the right of such person to vote, and hear and determine such challenge, and if of the opinion that such person is legally entitled to vote at such ward meeting, the presiding officer shall receive his vote; otherwise he shall reject his vote. Every person who shall be examined by any presiding officer relative to the right of himself or any other person to vote shall be under oath, which oath the presiding officer shall administer; and if any person when so examined shall be guilty of willful false swearing, he shall be liable to the penalties of perjury.

Registrars' pay.

Lists to be delivered to city clerk.

Challenged votes.

Examinations to be under oath.

Ward voting places.

SEC. 8. There shall be one place of voting in each ward at each election of officers, designated by the common council, who shall cause notice thereof to be published in a newspaper of said city, or in such manner as said common council, by an ordinance, shall prescribe, not more than four weeks nor less than one week preceding such election. The polls in each ward shall be open from six o'clock in the forenoon until five o'clock in the afternoon, during every annual election. The registrars shall designate from the voters of each ward, by agreement if possible, otherwise by lot, a presiding officer for election and assistants to relieve him in the duty of presiding; said registrars shall be present personally or by deputy, with their voting lists prepared as hereinbefore provided, and shall check thereon the names of all persons whose votes are received. At all elections the names of such officers as each voter is entitled and shall choose to vote for, shall be printed or written on one piece of paper. A ballot-box of the usual construction shall be provided

Polls when open and closed.

Presiding officer, how chosen.

Voting lists, how kept.

Voting, method of.

by the common council for each ward, and each person offering to vote shall deposit his vote on the lid of such box. The presiding officer shall receive and deposit in the box the ballots of all persons whose names are found on their voting lists by the two registrars, and none others; *providing, however*, that such presiding officer shall not receive and deposit the ballot of any person whose name is found on such lists if the right of such person to vote is challenged and the challenge is sustained. At the expiration of the time allotted for voting, the presiding officer shall open the ballot-box, publicly count the votes with the aid of the counters appointed by the registrars or their deputies, and declare the result in open meeting at the polling place in each ward. Immediately thereafter a certificate of the result, signed by the presiding officer and the counters, shall be deposited in the ballot-box, the box sealed and a like certificate shall be transmitted, together with the voting lists, and the ballot-box containing the ballots received, to the city clerk, which certificate shall be evidence of the vote in such ward. The city clerk shall enter the returns from each ward upon the city records and publish the same in the succeeding issue of at least one newspaper of said city, and shall therein declare those persons receiving the largest number of votes for their respective offices to be elected thereto. The presiding officer shall have all the power for the preservation of peace and good order in such meetings, by law conferred upon the moderator of town meetings. Any person whose name is not on such list as an elector of said city in such ward, who shall vote for any officer of said city, or any person who shall vote or attempt to vote on or in the name of any other person whose name is on said list, shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, or by imprisonment in the county jail not exceeding three months, or by such fine and imprisonment both. If either of said registrars shall, without just or reasonable cause, refuse or neglect to discharge any of the duties herein prescribed, he shall, on conviction, be punished by a fine of three hundred dollars; and if any person other than the registrars shall make any alteration by addition, erasure, or otherwise, in the list prepared by the registrars, or if the presiding officer in any of said wards at any annual or special election, or any other person having charge of the ballot-box in any of the wards aforesaid, at

Voters not on lists.

Count, how made.

City clerk to publish and declare result

Illegal voting, penalty for.

Neglect of duty by registrars, penalty for.

Alterations of lists, penalty for.

any such annual or special election, shall allow any person to deposit his vote therein whose name is not on the registry list of said ward, he shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, or by imprisonment in the county jail not less than three months, or by such fine and imprisonment both.

Oath of city clerk.

SEC. 9. Every officer of the city shall be sworn before entering upon the duties of his office. The form of the oath to be taken by the clerk shall be as follows: "You, A. B., do solemnly swear that you will faithfully perform the duties of the office of clerk of the city of New Britain so long as you are the clerk thereof; that you will make true entries and records of all the votes and proceedings of said city and of the common council thereof; and of such other matters as by law or the ordinances of said city are to be recorded in your office, and that you will deliver true copies of the records in your office when they shall be required of you, on the receipt of lawful fees therefor, so help you God;" which oath shall be administered to such clerk by a justice of the peace for the county of Hartford, and thereafter said city clerk shall administer to all the other officers of said city the following oath: "You ——— having been elected to the office of ——— for the city of New Britain, solemnly swear that you will faithfully and honestly perform the duties of the office of ——— for the city of New Britain, to the best of your judgment and skill, so help you God;" and shall forthwith enter the fact of such administration upon the city records.

Oath of city officers.

Mayor, powers and duties of.

Presiding officer.

Conservator of the peace.

May commit to prison.

SEC. 10. The mayor of said city shall be the chief executive magistrate thereof, and it shall be his duty to be vigilant in causing the laws thereof to be enforced. He shall preside at all meetings of the common council and all business meetings of the city. He shall have power to administer oaths, to take depositions and the acknowledgment of deeds. He shall be conservator of the peace of said city, and shall have authority, with force and strong hand when necessary, to suppress all tumults, riots, and unlawful assemblies, and to arrest, without warrant, and to commit to the city prison, for a time not exceeding twenty-four hours, any person or persons who may be detected in quarreling, brawling, or otherwise behaving in a disorderly manner, to the disturbance of the public peace in said city. He

shall also have power to enter into any house, building, or place in which he may suspect any disorderly or vagrant persons to be assembled, and if any such are found therein, to command them immediately to disperse, and in case of neglect or refusal to obey such command, to commit any such person to the city prison for a term not exceeding twenty-four hours; and he shall be authorized to exercise within the limits of said city all the powers given to sheriffs and other officers by the general statutes and he may at all times require the aid of any sheriff, deputy sheriff, constable, watchman, or policeman, or any or all of them, together with such other aid as may be necessary; and whenever he shall have reason to believe that great opposition will be made to the execution of his authority, he shall have power to call out the active militia of said city, or any portion of the same, and may call out the regular and supernumerary police force of the city when he may deem it necessary, and may exert all the force necessary to enable him to execute the laws within said city. It shall also be the duty of the mayor to recommend the adoption of all such measures connected with the police, security, health, cleanliness, and ornament of the city and the improvement of its government and finances, as he shall deem expedient; to communicate to the common council, at any meeting of that body not later than May 15th, in each year, a general statement of the situation, state, and condition of the city in relation to its government, finances, and improvements; which statement shall within five days thereafter be entered in the records of the common council and published in such manner as said common council shall order. It shall be the further duty of the mayor to discharge all duties imposed upon him by the charter and ordinances of the city, the laws of this state and of the United States. The mayor shall receive as compensation for the performance of the duties of his office the sum of six hundred dollars per annum.

May enter suspected houses.

May exercise powers given to sheriffs.

May call out the militia.

To recommend legislation.

To report to the common council.

General duties.

Compensation.

Sec. 11. If any person shall hinder, obstruct, resist, or abuse the mayor in the execution of the duties of his office, and, when commanded to assist therein, shall refuse or unreasonably neglect so to do, such offender shall pay a fine not exceeding one hundred dollars, or be imprisoned in the county jail not exceeding six months, or suffer such fine and imprisonment both, at the discretion of the court having cognizance of the offense.

Penalty for obstructing the mayor.

Pay of militia under call of the mayor.

SEC. 12. The pay of members of the active militia during service under the call of the mayor as aforesaid, and the penalty for refusing to perform such service, shall be the same as is provided in such cases by the general statutes.

When president pro tem or senior alderman shall be acting mayor.

SEC. 13. Whenever the mayor shall be absent from the city or prevented by sickness or other cause from attending to the duties of his office, the president *pro tempore* of the common council, and in his absence, the senior alderman, that is the alderman who has occupied such office for the longest consecutive term, shall act as mayor, and shall possess, exercise, and enjoy all the rights, powers, and duties of the mayor during the continuance of such absence, or inability.

City Clerk, duties of.

SEC. 14. The clerk of said city shall also be clerk of said common council, and shall make and keep true records of all the votes and proceedings of said city and of said common council.

Shall cause ordinances to be published.

He shall cause the ordinances of said city to be published according to law, and when they shall have been so published shall enter upon the record of said common council his certificate of the fact of such publication, including the date thereof.

Other duties.

He shall also make upon the records of said common council record of his own acts in serving notices of orders passed by said common council. Said clerk shall also do and perform all such duties as may be required of him by this act or by any order, vote, or ordinance of said common council.

Validity of records.

All records of said clerk shall have the same validity as the records of town clerks, and shall be, either by themselves or by a copy certified by said clerk, evidence in all courts of the truth of the matters therein recorded.

Assistant City Clerk.

SEC. 15. The common council may at any time appoint an assistant clerk, who, after having taken the oath by law provided for the clerk of said city, shall, in the absence, death, or disability of said clerk, have power to perform all the duties of his office; and all records and acts of said assistant shall have the same validity as the records and acts of said city clerk.

City treasurer, duties of.

SEC. 16. The treasurer of said city shall have the same relative powers and responsibilities in said city as town treasurers have in their respective towns; he shall annually, in the month of April, report to the common council, at any meeting of that body during said month, a detailed statement of the receipts of money into the treasury and the expenditures therefrom during

the year ending with the last day of March previous thereto, together with an accurate statement of the existing state of the treasury; which report having been audited by a committee appointed by the common council, shall be recorded within five days, and be published in such manner as the common council shall direct, together with the auditing committee's certificate, under oath, concerning the same. He shall pay all orders of the city auditor, and shall also comply with all ordinances and orders that may be made concerning his office by the common council.

Annual report, how audited

Shall pay orders.

SEC. 17. The auditor of said city shall draw his orders on the treasurer thereof for the payment only of such bills as shall have been ordered to be paid by the common council and the police and fire commissioners.

City auditor, duties of.

SEC. 18. The sheriff of said city shall, within the limits thereof, have the same power and authority as sheriffs of counties, and shall be liable to the same suits and penalties for neglect of duty, and the said city shall be liable for the default of such sheriff in his office. Said sheriff shall attend upon the the city court when sitting for the transaction of civil business only.

City sheriff, power and authority of.

SEC. 19. The collector of said city shall collect every tax duly laid by said city, and, having received a warrant for that purpose signed by the mayor of said city, shall have the same power as collectors of town taxes now have, and shall be accountable to said city; and, in case said collector shall not perform his trust, then on complaint of the common council the mayor shall issue his warrant under his hand directed to the sheriff of said city to collect out of the estate of the negligent collector the sum due from him as previously ascertained by said common council. It shall be the duty of the collector, at the expiration of his term of office, whether by resignation, removal, or otherwise, to turn over and deliver to his successor in office all books of account, documents, and papers of every description in any way relating to the office or the business thereof.

City collector, duties of.

SEC. 20. The treasurer, collector, auditor, clerk of the city, clerk of the city court, and sheriff shall severally give bonds with surety to the mayor of the city and his successors in office, in such amount, manner and form as the ordinances of said city

Bonds of city officers.

Office to be declared vacant on refusal to give bonds.

shall prescribe for the faithful performance of the duties of their respective offices, and in case of the refusal or neglect of either of said officers to give such bond, his office shall be deemed vacant by such refusal or neglect, and on a declaration to that effect being made to the common council by the mayor, said common council may proceed to fill said vacancy in the manner hereinbefore provided.

Taxes, how laid.

SEC. 21. Said city, in legal meeting assembled, shall have power to lay taxes on the polls and ratable estate within the limits of the city for such purposes as the city shall think proper, agreeable to the privileges in this act.

Common council.

SEC. 22. The mayor, aldermen, and councilmen of the said city shall constitute and be a body known as the common council of the city of New Britain.

Valid meetings.

All meetings of said common council duly warned and held, at which a majority of the members are present, shall be valid meetings, and may proceed to transact any business properly before them, and all meetings at which less than a majority of said council is present shall have power to adjourn to such time as they see fit.

Majority vote necessary.

All acts of said common council, at any meeting, shall be done by a majority vote of all members present.

Powers of Common Council.

SEC. 23. The common council shall have power, under the restrictions otherwise provided in this act, to make such orders or ordinances as it shall see fit in relation to the following subjects within the limits of said city, to wit:

Nuisances.

Nuisances of all kinds in the said city, and their summary abatement by any person by it appointed therefor; sinks, cesspools, gutters, drains, sewers, and sewer connections, privies, barns, stables, hog-pens, and the keeping of swine, slaughter-houses, deposits of filth and rubbish; the going at large in the streets of animals or fowls of every description;

Storing of lumber, steam boilers, explosive substances.

the storing or piling of lumber; the erection and use of steam boilers; the keeping, sale, and use of gunpowder, fire-works, nitro glycerine, or other similar explosive substances, and the conveyance thereof through any portion of the city.

Preservation from fires.

The preservation of said city from fires and from the danger of fires and for that purpose to regulate the mode of building

Erection of buildings, mode and material of.

and the materials used for building or altering buildings, to grant permits for the erection, addition to, repair, and enlargement of buildings and to prevent the erection, addi-

tion to, repair, or enlargement thereof, without the permission of said council; to regulate the using and heating of buildings, to establish and designate districts of said city within which it shall not be lawful to erect, enlarge, repair, or elevate or into which or within which it shall not be lawful to remove any wooden building, except by permission of said common council or a committee thereof; the erection, construction, or use within said city, of buildings which by reason of their structure or use, are or may become unsafe, and to provide for and enforce the disuse, removal, or demolition of such buildings or such parts thereof as are or may become unsafe; the securing of safe and convenient egress in case of fire or other accident from buildings designed in whole or in part for public use, already erected or which may hereafter be erected in said city, and the prohibition of the use of such buildings which are or may become unsafe by insufficient facilities of egress or for other cause.

Using and heating buildings.

Fire limits for wooden buildings.

Unsafe buildings.

Egress from public buildings.

The markets and commerce of the city; the inspection of produce brought into the city for sale or transportation; the sale or offering for sale of unwholesome meat, vegetables, produce, or food of any kind.

Markets and commerce.

Unwholesome food.

The streets, highways, alleys, walks, and public grounds, and the preservation of all trees and shrubbery therein; keeping the same free from snow, ice, rubbish, or obstruction of any kind; the laying out, altering, constructing, grading, and repair of such streets, alleys, highways, walks, and public grounds, the naming of all public streets and the numbering of all lots thereon.

Streets, obstructions thereon, alterations, repairs to and naming of.

Numbering of lots.

The public water-works and the management of the same.

Public water works.

Trespasses in gardens, cemeteries, and other enclosures; the cleaning of chimneys; burying grounds and burials; the protection of all buildings from defacement or injury; the marching and parading of military and fire companies and processions of every kind in the public streets; public assemblages, receptions, celebrations, shows, and music.

Trespasses.

Burying grounds. Protection of buildings.

Processions and public assemblages.

The manner of warning meetings of said city and of the common council, and the times and places of such meetings; the establishment and maintenance of a police force; the preservation of order, the observance and enforcement of the laws of the State and the ordinances of the city by means of such police

Warning of meetings.

Police force.

Taxation. Licensing public conveyances.

force; the mode of taxation as to taxes levied by said city; the licensing and regulating of public hacks and carriages, and the charges of hackmen, public drivers, cartmen, and truckmen.

Finances and property.

The finances and property, real and personal, of the city; and the borrowing of money by the city for any purpose for which the city is authorized to lay taxes by this act; the authentication, execution, and delivery of deeds, grants, and releases of

City real estate.

the real estate of the city, the full conveyance or release whereof has been authorized at a legal meeting of the voters of said city.

Street lighting.

The erection of lamp-posts, poles, lamps, and lighting apparatus of every description, and the public lighting of the

Opening of streets and public grounds and use of same.

streets; the excavation or opening of streets, highways, and public grounds for public or private purposes, and the location of any work thereon, whether temporary or permanent, upon or under the surface thereof; the depositing therein of building materials of any description, and the removal of buildings upon

Taking of land for public use.

or through the same; the form of proceedings in taking land for public use not otherwise prescribed in this act.

Peace and order.

The preservation of public peace and order, the prevention and quelling of tumultuous noises, riots, and disorderly assemblages; the conferring upon the mayor and police officers of the city or town constables of all the powers necessary for such purposes; the prohibition, restraining licensing, and regulation of

Regulation of public sports.

public sports, exhibitions, and performances; the punishment of the resistance, hindrance, or obstruction of public officers in

Filling vacancies.

the discharge of their duties; the filling of vacancies in any office appertaining to the city, not otherwise provided for in this act.

To elect officers.

The election or appointment of prosecuting attorney, corporation counsel, sewer commissioners, city surveyors, street commissioners, water commissioners, police commissioners, public weighers, fire commissioners, sealers of weights and measures, health officers, inspectors of articles offered for sale, and such other functionaries as are proper for the administration of the affairs of the city.

Keeping accounts.

The mode of keeping the accounts of said city; the provision

Printing for city.

for and regulation of all the printing done for said city.

Conduct of elections.

The conducting of all elections in matters not expressly regulated by this act or by the laws of the state, and the prevention and punishment of illegal voting thereat.

Salaries and fees.

The prescribing of the salaries and fees of all officers of said city, except as herein otherwise provided; *provided*, that no alderman or councilman shall receive any fee, salary, compensation, or reward for services as such alderman or councilman, except the president *pro tempore* of the common council, until the said city shall have a population of thirty thousand inhabitants.

Additional duties of officers.

The particular duties of all officers not expressly defined by this act.

Speed of animals, electric cars, vehicles and bicycles.

The regulation of the speed of animals, vehicles, and electric cars, and bicycles within the limits of said city, and to provide for the cessation of city traffic, stoppage of electric cars, in case of emergency; to provide for the placing and maintenance of fenders on electric cars.

Electric car fenders.

Removal from office.

The providing for the removal from office of any city officer for incompetency or incapacity, neglect of duty, disobedience of any lawful order of competent authority, misfeasance or malfeasance in office.

Peddling and auctions.

Awnings and signs.

Licensing and regulating peddling and auctions; the erection of awning posts, awnings, and the projection of signs, banners, and flags over, on, or in any highway or street; the seal of said city; and said common council may prescribe penalties and forfeitures of goods and chattels for the violation of any such orders and ordinances, which penalties and forfeitures may be recovered by the corporation counsel in an action of debt or other proper action brought in the name of the city of New Britain before the city court of said city, for the use of the city treasury.

Penalties how recovered.

Misdemeanors, how prosecuted.

The violation of any ordinance or order relative to bathing in places exposed to public view, to nuisances injurious to health or safety, illegal voting, obstruction to highways (if malicious), illegal charges of hackmen, weights and measures, indecency, or any order or ordinance designed to prevent vice, immorality, or disorder, or the resistance of officers, or the obstruction or hindrance of any public officer in the discharge of his duties, shall be a misdemeanor, and may be prosecuted as such before the police court of said city, like other offenses, and said court may inflict thereon the penalty named in such order or ordinance, and grant a warrant for the execution of the same; *provided*, that no penalty or forfeiture of goods other than such as shall indirectly accrue from the abatement of nuisances shall exceed the sum of fifty dollars for a single offense.

Penalties limited.

Snow and ice on sidewalks, cleaning of.

Said common council shall have power to make, alter, and repeal ordinances requiring the owner or occupant of any building, land, or tenement, to clean and keep reasonably safe from snow and ice the sidewalk in front of the premises, and to make the violation of such ordinances a misdemeanor to be prosecuted before the police court, and to prescribe penalties for the same.

Regulation of city finances and the issuing of bonds.

Said common council shall have the power to authorize, regulate, and control the issuing of bonds of said city to take up any and all outstanding bonds, to pay any and all indebtedness and all claims against the city of every nature; to provide means for the payment of the costs and expenses of any and all public works and improvements; to prescribe the form of the same, their terms, and the time of payment, and to designate the authority by whom they shall be signed, and in general to do and perform all things necessary or convenient for the proper regulation of the city's finances and the proper adjustment of its debts, and the providing of funds for all its lawful expenditures; *provided*, *however*, that before any such bonds shall be issued, the proposition to issue them shall be submitted to a city meeting especially called and warned for that purpose by the mayor, and a vote shall be taken thereon approving or disapproving such issue; *and provided further*, that no such bond shall be issued unless approved by vote of a city meeting specially called and warned for the purpose aforesaid.

Issue of bonds, approval of necessary.

Protection of water works.

SEC. 24. Said common council shall also have the power to make such orders or ordinances as it shall see fit for the better protection and preservation of the waters of Shuttle Meadow lake, so called, in the town of Southington, and of all the water-works of said city situate in said town, and to prescribe penalties and forfeitures of goods and chattels not exceeding the sum of fifty dollars for a single offense, for the violation of any such orders or ordinances; such penalties and forfeitures to be recovered in the same manner as the penalties and forfeitures mentioned in the preceding section; *provided*, *however*, that the violation of any such order or ordinance to preserve the purity of the waters of said lake, or to prevent willful injury to said water-works or any part thereof, shall be a misdemeanor and may be prosecuted as such before the police court of said city like other offenses, and said court may inflict thereon the penalty named in such order or ordinance, and grant a warrant for the execution of the same.

Water Commissioners may enter upon private property.

The water commissioners or their representative may enter upon or into the land or buildings of any resident for the purpose of shutting off or of repairing the water supply of said property, and may call upon the police force to assist or protect them in the discharge of their duty.

Common council shall constitute a board of health.

SEC. 25. The common council of said city shall constitute a board of health in said city, and shall have and may exercise all power and authority which it shall judge necessary and proper for the prevention of disease of any kind, and for the promotion of the health of the inhabitants of said city; and may make and cause to be executed all orders for such purpose as it may deem proper, and may appoint health committees to carry the same into effect. And said common council, or the mayor of the city, or any member of such health committee, may cause all filthy and putrid substances or matter of any kind which they shall think injurious to the health and cleanliness of the city to be removed at the expense of the proprietor or proprietors, or occupant or occupants of the land or building upon or in which said substance or matter may be, or upon or from which it may arise or come, and for that purpose may enter upon or into all lands or buildings in said city; and the mayor may issue a warrant of distress to the collector of the city to collect such expense of such person or persons.

Health committee.

Removal of filthy substances, expense of.

Mayor's approval and veto.

SEC. 26. Every vote, resolution, order, or ordinance passed by said common council shall be submitted to the mayor for his approval, and if such vote, resolution, order, or ordinance shall be disapproved by him, the same shall be returned to the common council at its next meeting [whether an adjourned, a regular, or a special meeting], with his objections thereto in writing, and if two-thirds of all the members of said Common council, present and absent, shall again pass such vote, resolution, order, or ordinance, the same shall be valid, as if the same had been approved by the mayor.

Ordinances, approval or disapproval by special city meeting.

SEC. 27. Within sixty days after an ordinance has been passed, the mayor may call, and if requested in writing by five members of the common council and thirty other voters of the city, he shall call a special meeting of the voters of the city to approve or disapprove said ordinance, to be held at such time and place, within ten days thereafter, as the mayor in said call shall designate. Such call shall be by notice published in a

newspaper of the city, and shall recite the ordinance to be acted upon by such meeting. If a majority of the voters of the city present and voting at such meeting shall vote to disapprove said ordinance, it shall from that time be repealed and void, otherwise it shall continue in force.

Members of council to hold no other city office nor to be interested in any contract.

SEC. 28. No member of the common council shall, during the period for which he was elected, be appointed to or hold any office in any of the boards of fire, police, water, or sewer commissioners, or any other office, the emoluments of which are to be paid from the city treasury, excepting the office of mayor and the president *pro tempore* of the common council, as hereinbefore provided; nor shall he become, while a member of the common council, directly or indirectly interested in any contract, the expense or the consideration of which is to be paid under any vote or resolution of the common council; nor shall he be appointed or permitted to act in carrying into effect any vote, resolution, or matter whatever of a local description, as committee or otherwise, in which he has a direct or special pecuniary interest, or where his property will be directly or especially affected thereby.

Estimate of expenditures.

SEC. 29. The common council of said city shall annually, in the month of March, and on or before the twenty-fifth day of that month, make a detailed estimate of the expenses of said city, and of each department thereof, during the year ending on the thirty-first day of March next following, and cause the same to be published in each of the daily newspapers of said city. The said estimates, with such explanations and suggestions as the said common council shall deem proper to submit, shall be submitted to a regularly warned meeting of the city to be held within ten days after the time appointed for the annual city election, and shall there, or at an adjourned meeting, be considered and acted upon. If the said meeting approve of the said estimates, it shall authorize the requisite appropriations to be made by the said common council to pay the amount thereof; but if it disapprove of the said estimates, or any of them, it shall make such alterations or amendments therein as it shall judge proper, and shall authorize the appropriations required to pay the sums called for by said estimates so altered or amended by it. And it shall not be lawful for the said common council to make appropriations from the city treasury, or in any manner

Appropriations, how made.

bind said city for a sum in excess of the estimates so approved or altered or amended by said meeting, without the sanction of the voters of said city. A tax shall be laid at said meeting to meet the appropriations voted, and any additional sum voted at any special meeting of said city shall also be provided for by a tax laid at said special meeting. The mayor or other executive officer shall be held personally liable for the amonnt of any order drawn or obligation given in violation of this section.

Tax.

Executive officers liable.

Building lines.

SEC. 30. The common council of said city shall have power to designate a line or lines, on the land adjoining any highway or street in said city, between which line and said highway or street no building or part thereof shall be erected or stationed; *provided*, such line shall not be more than fifteen feet distant from said highway or street. And any person who shall erect or station any building or part of a building between any line so designated and the highway or street shall forfeit and pay for the use of said city a fine not exceeding one hundred dollars, and in addition, all such buildings shall be assessed four-fold in the lists of ratable estate in said city. Said fine may be recovered in an action of debt or other proper action brought in the name of the said city before the city court thereof.

Sewers and drains.

Assessments.

SEC. 31. The common council shall have power to lay out, construct, and repair sewers and drains wherever it may deem the same necessary through or along any street, highway, public or private grounds, and to assess such portions as they may deem reasonable of the cost of any such sewer or drain upon the property for the carrying off the sewage, surface, or other drainage of which such sewer or drain may be constructed, or which may be in any way improved or benefited thereby and the sums so assessed shall be a lien upon the said property, and may be foreclosed or collected as provided in section fifty-three of this act. No person shall construct any drain or sewer of any kind upon and from any premises in said city, to or upon any highway or street in said city, or use or permit any such sewer or drain to be used without the permission of the common council; and any person so constructing such drain or sewer, or using or permitting such to be used without such permission, shall forfeit and pay to use of said city a fine of ten dollars for such construction, and a like amount for each day that such drain or sewer is so used or permitted to be used.

Sewer assessment lien.

Sewers and drains not to be laid or used without permission.

Penalty.

Appropriation of streams.

SEC. 32. The common council of said city is hereby authorized, whenever in its opinion the public health or sewerage shall require such action, to take, occupy, and appropriate, in such manner as it shall, from time to time, deem expedient, any stream, or part of a stream, natural or artificial, running in or through said city, and to straighten, deepen, or lower the same or lower or remove any or all walls, dams, or other obstructions, to the free and healthy flow of such stream or part of a stream, or enlarge or cause to be enlarged or lowered, any or all culverts, which at any season of the year cause the accumulation of stagnant water, or interrupt in any manner the free and healthy flow of any part of such stream.

Damages and benefits on streams taken.

SEC. 33. Whenever said common council shall take action under the foregoing power, it shall appoint a committee to prepare a descriptive survey of the improvement contemplated, with a carful estimate of the cost of completing the same, and to agree with the parties interested as to damages and special benefits on account of such improvement; and the report of such survey and estimate having been accepted and recorded, and such agreement having been ratified, and the sums agreed upon as damages having been paid to the parties entitled thereto, or deposited to their credit in the city treasury, said city may go on to the completion of said improvement, and do all acts necessary or convenient for that purpose without further liability.

Appropriation of streams, assessments how made when an agreement cannot be reached.

SEC. 34. But if said common council shall be unable to agree with the parties interested as to the damages or benefits to be assessed on account of such improvement, any judge of the superior court or of the supreme court of errors may, on application of said city, after causing such notice of the pendency of such application as he shall deem just and reasonable, appoint three judicious and disinterested freeholders of the county of Hartford to estimate the damages and benefits resulting from said improvement; and said committee, having been duly sworn, and having given notice of the time and place of its meeting for the purpose aforesaid, by publishing the same not less than twice in a newspaper published in said city, shall meet at the time and place designated, and having heard all parties in interest who shall appear before it, shall determine what parties will be damaged by said improvement in excess of special bene-

Committee to estimate.

fits, and the amount thereof; also what parties owning or interested in lands; easements, or franchises, within a reasonable distance of said improvement, will receive special benefit over all damage, and the amount thereof, and also what parties, if any, will receive an equal amount of damage and benefit. And thereupon said committee shall report in writing to the said judge, who may confirm, correct, or set aside said report, as he may deem just, in which latter case said committee, or a new one to be then appointed by said judge, shall proceed as before, and said report being finally accepted by said judge, shall be recorded by the clerk of the superior court for Hartford county, and the award of damages and benefits therein contained shall be final between the parties; all papers connected with said case, by whomseover held, shall then be delivered to the clerk of the city of New Britain, who shall keep the same on file for the public inspection, and said damages being paid or deposited as before provided, said city may go on to complete said public improvement and do all acts necessary or convenient for that purpose without further liability in the premises.

Committee to report to judge.

Sec. 35. All amounts due to said city as special benefits under the preceding sections, whether reached by agreement or assessment, may be collected by warrant under the hand of the the mayor of said city, directed to the collector thereof, who shall enforce the same in the same manner as tax warrants are served and enforced. Every such amount shall also be and remain a lien upon the land or other property with reference to which it was made, and said lien shall have the same validity and effect, and be enforced in the same way as provided in section fifty-three of this act. It is further provided that in no case, either of agreement or assessment, shall the aggregate amount of special benefits exceed the cost of such improvement including damages paid and construction expenses as estimated by the committee aforesaid.

Special benefits, how collected.

Benefits, a lien upon the property.

Benefits not to exceed the cost.

Sec. 36. The common council shall have power from time to time to designate and fix the course, width, height, and grade of all sidewalks and gutters upon the streets and highways of said city, and may, at the expense of said city, cause any of the crosswalks in said city to be raised, flagged, paved, or made in a suitable manner.

Sidewalk and gutter grades.

Crosswalks.

Sidewalks, gutters and railings to be laid by property owners.

SEC. 37. Said common council may, from time to time, order the owner or owners of the land and buildings fronting on such sidewalks and gutters, at their own expense, to make such sidewalks, and gutters, on their several fronts, according to the course, width, height, and grade designated as aforesaid; and also to curb, flag, or pave the same in such manner as the common council shall direct; and also to provide and erect such railings or guards upon and along said walks as public safety may require. And said common council may limite such time as it may deem reasonable for so fencing, paving, or flagging, railing and curbing such sidewalks and gutters as aforesaid, among the different persons having an interest in the lands or buildings holden as aforesaid; and whenever the owner or owners of any land or buildings shall not reside within the limits of the city, notice in writing to the occupant or occupants, or persons having the care thereof, of any such order shall be sufficient notice thereof to all persons interested therein.

Common council may limit time for construction of.

Notice to non-residents.

Sidewalk grades changed within ten years's city to bear expense.

SEC. 38. Whenever a sidewalk has been laid by an adjoining land-owner under any order of the common council of said city, and upon a grade furnished by competent city authority, and it is deemed necessary by said common council, at any time within ten years thereafter, to alter or change such grade and relay such sidewalk, such alteration or change of grade and relaying of sidewalk shall be done at the expense of the city; *provided*, that in all cases where an alteration or change of grade, or the relaying of any sidewalk is made necessary by an alteration or change of any street line, the expense thereof shall be chargeable as is now provided by law. The provisions of this section shall extend and apply to sidewalks already formed, and flagged or paved in compliance with the orders of the common council.

Sidewalks, etc., council may adjust the expense of.

SEC. 39. If any owner or owners of any such land or buildings shall neglect to make, pave, rail, flag, or curb any such sidewalk or gutter, in such manner, and within such time as the common council shall direct and limit, the said common council may appoint and employ some suitable person to do the same, and may adjust and liquidate the expense thereof, and order the same to be paid by such owner or owners neglecting as aforesaid. In cases where the land or buildings fronting such sidewalks or gutters shall be holden for a term of years, or any

other estate less than a fee simple, said common council may, by its order, apportion in such manner as it shall judge right, the expense of raising, grading, forming, flagging, paving, or making such sidewalks and gutters among the different persons having an interest in the land or building holden as aforesaid. Thereupon the mayor of said city may issue a warrant of distress, authorizing the city collector to collect of said owner or owners the sums ordered to be paid by them respectively as aforesaid, and such sums, with the interest thereon, shall be a lien or real encumbrance upon the land and buildings in reference to which such sums shall have been expended, to be enforced in like manner as if said land and buildings were mortgaged to said city to secure the payment thereof: *provided, however*, that such lien shall not continue to exist for a period longer than sixty days after the completion of the work on account of which it exists, unless, within that period, a certificate signed by the mayor of said city or the clerk of said common council, describing the premises on which such lien exists and the amount claimed by said city as a lien thereon, shall be lodged with the town clerk of the town of New Britain; *and provided, further*, that such lien shall cease to exist whenever a certificate to that effect, signed by the mayor or clerk of the common council for the time being, shall be lodged with said town clerk. All such certificates said town clerk shall record with the deeds of land.

Cost of walks to be a lien upon the property.

Liens, when to be recorded, how made and released.

SEC. 40 The common council of said city shall have sole and exclusive authority and control over all streets and highways and over all parts of streets and highways, now or hereafter existing within the limits of said city, and shall have sole and exclusive power to lay out, open, make, discontinue, alter, repair, maintain, grade, and drain all highways and streets now existing or hereafter to be made or discontinued within the limits of said city; and no person shall open within the limits of said city any public way, except under and by virtue of an order of said common council; and said common council shall have power to elect, annually, a street commissioner for said city, who shall hold his office for one year from and after his election, unless removed for cause; and said common council shall define by proper ordinances and orders the powers and duties of the commissioner, and shall fix and designate his compensation.

Highways, powers of council in reference to.

Street commissioner.

Town appropriations for highways.

SEC. 41. In all cases when a tax shall be laid and collected or a sum of money shall be appropriated by the town of New Britain, for the purpose of making and repairing the highways and roads in said town, it shall be the duty of the selectmen of said town, together with an equal number of the aldermen of said city, to determine by a major vote of the whole number the portion thereof which shall be applied for the making and support of the highways of said town within the limits of said city; and in case the selectmen and aldermen cannot agree by a major vote, as aforesaid, upon such apportionment, the county commissioner of Hartford county residing nearest to said city shall be called in to give a deciding vote. The sum thus apportioned shall be paid into the treasury of said city; and said town shall not be obliged to make or repair any highway in the limits of said city; *provided always*, that the town of New Britain shall be liable to make and repair all bridges in said town to the same extent as if this act had not been passed.

Aldermen and selectmen to apportion.

County commissioner to have deciding vote.

Town to care for bridges.

Street lay-outs, etc., notice of hearing.

SEC. 42. Before the common council shall determine to lay out, alter, extend, enlarge, discontinue, or change any highway, street, public walk, or public avenue, or designate any building line in said city, it shall cause a notice, signed by the mayor of said city or the clerk of said council, describing in general terms such proposed lay-out or alteration or designation, and specifying a time and place when and where all persons whose land is proposed to be taken therefor may appear and be heard by said common council in relation thereto—to be published not less than two times in not more than one daily newspaper published in said city, at least ten days before the time fixed in said notice for such hearing; and such publication of said notice shall be legal and sufficient notice to all persons and corporations whose land is proposed to be taken by such lay-out or alteration. At the time and place mentioned in said notice, and at any meeting adjourned therefrom, said common council shall hear all the parties in interest who may appear and desire to be heard in relation thereto.

Publication.

Committee on lay-out.

SEC. 43. If after such hearing, said common council shall resolve to lay out, alter, extend, enlarge, discontinue, or change such street, highway, walk, or avenue, or designate such building line or lines, it shall appoint a committee whose duty it shall be to make such lay-out or alteration, and designate such

building line or lines, and report in writing its doings to said common council, which report shall embody a descriptive survey of such street, highway, walk, avenue, line, or lines designated. If said report shall be accepted and approved by said common council, it shall at once be referred by said common council to the board of street commissioners, to estimate and appraise the damages, or benefits, as the case may be, resulting or accruing to any person or persons from the taking of such land for public use as aforesaid, or from such lay-out, alteration, extension, enlargement, discontinuance, change, or designation of such line or lines.

Damages and benefits.

SEC. 44. Said board of street commissioners shall consist of six freeholders of the city of New Britain, who shall not be members of the common council. The mayor of said city of New Britain shall, by and with the consent of three of the aldermen thereof, on or after the third Wednesday of April, 1896, appoint two members of said board who shall hold office for the term of one year, two who shall hold office for two years, and two who shall hold office for three years, from the first Wednesday of May, 1896, and shall annually thereafter appoint, in the manner above provided, two members of said board who shall hold office for the term of three years from the first Wednesday of May of the year in which they are so appointed, and until their respective successors shall be appointed and qualified, unless removed for cause, and the appointment of the members of said board shall be made in such a manner as to divide the membership thereof as nearly as may be, equally between the two leading political parties for the time being.

Board of street commissioners. how appointed.

SEC. 45. Said board of street commissioners shall act as a court for the assessment of betterments and the appraisal of damages; *provided*, the common council shall have power to pass ordinances not inconsistent herewith, prescribing the manner of procedure in such assessment and appraisal.

To assess benefits and appraise damages.

SEC. 46. The members of said board shall be sworn by the clerk of said city to a faithful and impartial discharge of their duties, and a certificate of such appointment, and the administration of such oath, shall be made and recorded in the records of the city.

Board of street commissioners to qualify.

SEC. 47. Whenever a vacancy shall occur in said board of street commissioners, it shall be filled in the manner provided

Vacancy in board, how filled.

aforesaid for the appointment of members, and whenever more than one of the members of said board shall be disqualified, by interest or otherwise, from acting in any case before said board, the mayor of said city, by and with the consent of any three of the aldermen of said city, may appoint one or more disinterested freeholders of said city to fill the place or places of the member or members so disqualified, and such persons having been sworn by the clerk of said city to a faithful and impartial discharge of their duties, and a certificate of such appointment, and the administration of such oaths having been recorded in the records of said city, all the proceedings before said board shall be as now provided for in this act.

Disqualification.

Compensation.

SEC. 48. The persons appointed in accordance with the preceding section shall receive the same compensation as the regular members of said board, but they shall act only in the cases for which they were appointed, and in all other cases the regular members of said board shall act.

Mayor may remove.

SEC 49. The mayor of said city, by and with the consent of any three of the aldermen, may remove any member of said board for cause.

Appraisal of damages and benefits, how made.

SEC. 50. In all cases when it becomes necessary to estimate and appraise the damages or benefits, as the case may be, resulting or accruing to any person or persons from the taking of land, or any interest therein, for public use, or from the laying out, alteration, construction, extension, enlargement, discontinuance, or change of any street, highway, public walk, sewer or avenue, or designation of any building line or lines, as provided in the charter of said city of New Britain, or whenever the common council shall order the paving of any street or highway, or any part thereof, the common council shall formally refer the matter to the board of street commissioners, together with the order of the common council under which said change or improvement is made, accompanied by suitable maps or written description, clearly explaining the contemplated improvement, and showing the adjoining land and owners thereof, and shall then, before making any assessment of damages and benefits, give reasonable notice to all persons interested in said proposed improvement of the time and place when and where it will meet for that purpose; such notice shall be deemed reasonable and sufficient if signed by the members of said board, or a majority of

Notice to persons interested.

them,and published in the same manner as provided to be done by the common council in section forty-two of this act, or if given in such other manner as by an ordinance of the common council is now or may be prescribed; said board shall meet at the time and place designated in its said notice, and at such other times and places as it may adjourn therefrom, and all parties in interest may appear before said commissioners and be heard with witnesses relative to the amount of damages or betterments, or both, to be appraised or assessed to them respectively, and said commissioners shall examine said parties and witnesses under oath; thereupon said board shall proceed to assess all betterments or benefits, and to appraise all damages therefor to the persons liable to such betterments or entitled to such damages, including the damages for building lines in case of new streets or alteration of existing streets, upon the proper parties or land specially benefited by said proposed improvement, in proportion to the benefits or damages to each respectively; *provided*, that the whole amount of benefits assessed for any particular lay-out, alteration, designation, or other improvement shall not exceed the whole amount of damages assessed on account of the same lay-out, alteration, designation, or improvement and the estimated cost of constructing and completing said improvement, which estimate said board shall make and take into consideration in its assessments as provided in this section, and shall also embody said estimate in the report of its doings, which report shall be made as soon as may be to the common council of said city, which may accept and adopt said report or return the same to said board for reconsideration and correction; *provided*, *however*, that if after said report has been returned to said board for reconsideration and correction, and upon its further return to said common council, said common council shall be of the opinion that it will not be for the best interest of said city to make said proposed improvement on account of the expense thereof, it may, unless work upon said improvement has been actually begun, accept said report and discontinue further proceedings in regard to the proposed improvements, without liability to any person or corporation interested therein, and in case of such discontinuance no right of action shall accrue to said city to recover any betterments assessed in said report on account of such proposed improvement; upon the accept-

Hearing.

Benefits must not exceed the damages and the cost of the improvements.

Council may adopt or return the report of the board.

Council may discontinue proceedings.

Record to be made by clerk of the common council.

ance and adoption of said report, the clerk of the common council shall record the same in the records of the common council, and said common council shall cause a notice, signed by the mayor or clerk of said common council, containing the names of the persons thus assessed, with the amounts of their respective assessments, to be published not less than two times in not more than one daily newspaper published in said city, and such publication shall be deemed to be legal and sufficient notice to all persons interested in such assessments, and the same shall thereupon immediately become due and payable.

Publication.

Payment of damages.

The common council shall order the damages thus assessed and determined to be paid to the persons to whom they respectively belong out of the treasury of the city; *provided*, that if any person shall refuse or neglect to receive the amount so found due and ordered to be paid to him, the same shall be deposited in the city treasury, to be paid to the person entitled to receive it whenever he shall apply for the same. And the descriptive survey before mentioned, being signed by the mayor or person lawfully acting in his stead, and entered upon the records of said common council, and the damages assessed having been paid or deposited as aforesaid, said highway, street, public walk, or building line shall be and remain for the purpose for which it was laid out or designated.

Damages not taken to be deposited with treasurer.

Sewer assessments, how made.

SEC. 51. Upon the execution of any order of the common council of said city for the construction of any lateral branch or connecting public sewer, there may be assessed by the board of street commissioners of said city, upon all persons whose property is, in the judgment of said board, especially benefited thereby, a reasonable part of the expense of such lateral branch or connecting public sewer, and of the main or trunk sewer into and through which such lateral branch or connecting sewer is discharged; *always provided*, that no person shall be assessed for sewer purposes under this act beyond the amount to which his property is especially benefited, whether the property on account of which such assessments are made be located along the line of a main or trunk sewer, or of a lateral branch or connecting sewer.

Size of sewer not to be considered in assessing benefits.

Assessments not to exceed $1.75 per foot.

SEC. 52. No person owning land fronting on the line of a street in which a sewer is constructed shall be assessed more than one dollar and seventy-five cents per front foot of said

land, unless in the opinion of said street commissioners the owner thereof is the owner of land in the rear that will be specially benefited by said sewer. No assessment or betterments shall be made until the sewer on which assessments are based shall be completed, and no assessment of benefits for sewer purposes shall be collectible until the completion of the sewer for which the party or parties are assessed.

Sewer assessments, when can be made and collected.

Assessments to be a lien upon the property.

SEC. 53. The assessments of benefits made by said board shall be and remain a lien or real incumbrance upon the land upon which they are respectively made, and shall take precedence of all other liens or incumbrances thereon (except taxes due the state), and the lands, with the buildings thereon, on which any such lien may exist, shall be liable to be foreclosed in the same manner as if said lien were a mortgage on such lands and buildings in favor of said city to secure the amount of such assessments; *provided*, *however*, that such lien shall not continue to exist for a period longer than sixty days after the last publication of the notice thereof as aforesaid; unless within that period a certificate, signed by the mayor of said city or the clerk of said common council, describing the premises on which such lien exists and the amount claimed by said city as a lien thereon, shall be lodged with the town clerk of the town of New Britain; and *provided further*, that such lien shall cease to exist whenever a certificate to that effect, signed by the mayor or clerk of the common council for the time being, shall be be lodged with said town clerk. All such certificates said town clerk shall record with deeds of land. Such assessments may also be collected by warrant, under the hand of the mayor of said city, in the same manner as town taxes are by law collected.

Liens, how continued and released.

Assessments, how collected.

Continuance of liens when an appeal is taken.

SEC. 54. In all cases where liens are created on account of public improvements of any kind in said city, such liens shall, if an appeal shall be taken from the appraisal of damages or assessments of benefits, or both, continue to exist for a period of sixty days after the passage of the final decree of the court or judge having jurisdiction of such appeal, or after termination of the appeal proceedings, but not longer, unless within such time a certificate, signed by the mayor of said city or the clerk of the common council thereof, describing the premises on which such lien exists, and the amount claimed by said city as a lien there-

on, shall be lodged with the town clerk of the town of New Britain.

Appeals from the estimates of the board of street commissioners.

SEC. 55. All persons aggrieved by the estimate of the board of street commissioners of any damage caused by the layout, discontinuance, alteration, or enlargement of any highway or street, or the designation of building lines, and all persons aggrieved by the assessment of benefits consequent thereon, or consequent upon the construction of any sewer or drain by the common council, may within ten days after notice of such estimate or assessment, apply by petition to any judge of the court of common pleas of Hartford county for a re-estimate of such damages or re-assessment of such sum ordered to be paid by them, and such appeals may be heard by said judge, but shall upon the motion of any party thereto or any person interested therein be referred to a committee for hearing.

Shall be made by petition within ten days.

Shall be heard by a committee if desired.

Appeals from appraisals of damages to include appeals from assessment of benefits.

SEC. 56. Appeals may be taken from the assessments of benefits only; but, if taken from the appraisal of damages, shall be from the said appraisal and also from the assessment of benefits made at the same time and for the same public work. As many of the parties interested as may choose to do so may join in such appeal; and when separate appeals are taken by different parties from one assessment and appraisal, all such appeals shall be heard and tried as one cause. When an appeal shall be taken said board shall instruct and aid the corporation counsel in the matter of said appeal until the same shall be determined. Such appeal shall be taken within ten days after public notice shall be given of such appraisal or assessment, and shall be by a suitable petition in writing, setting forth the whole of said assessment appealed from, and asking for a reappraisal and re-assessment, or for a re-assessment only, with a citation attached thereto, signed by any authority authorized to sign writs, returnable before said judge at two o'clock p. m. on the day three weeks subsequent to the day on which public notice of said appraisal shall have been given; and said citation shall be served upon the clerk of said city at least six days before the return thereof.

Appeal petitions, how to be drawn and when returnable.

Re-assessments, when to be made.

SEC. 57. If, upon the hearing of any appeal, said judge or committee shall find cause to alter said assessment, or said appraisal and assessment, then said judge or committee shall proceed to re-assess the whole amount of the damages or cost of

construction, or both, upon the persons or land specially benefited.

Notice of alteration and how given.

SEC. 58. If the judge or committee hearing said appeal shall alter said assessment, or said appraisal and assessment, as aforesaid, then said judge and committee shall cause notice of the pendency of the proceedings before him to be given to all persons interested in said improvement, which notice shall be by citation served upon such persons or left at their usual place of abode, giving such time for appearance and served in such manner as said judge or committee shall direct, or by publication in not more than one daily newspaper published in said city, for such time in said form as said judge or committee shall direct.

Powers of judge in appeal cases.

SEC. 59. Said judge shall have, for the purpose of disposing of said appeal, all the power of the superior court, and may render judgment thereon, and may tax costs in favor of either party, and issue execution for said costs, to be taxed as upon civil process in the superior court.

To tax costs.

Judge to return papers to city clerk.

SEC. 60. Said judge shall, when the proceedings in any case arising under this act are closed, return all papers connected with the case to the clerk of said city, to be by him kept on file.

City court.

SEC. 61. The court now existing under the name of the city court of the city of New Britain shall continue to be holden under said name on the first Monday of every month, commencing at two o'clock in the afternoon of said day; said court shall have power to adjourn from time to time, and shall have original and final jurisdiction in all civil causes, and over all suits in equity (excepting suits for relief against any cause depending or judgment rendered in the superior court, or court of common pleas), which shall be brought before it according to law, in which the debt, damages, or matter in demand exceeds the jurisdiction of a justice of the peace, and does not exceed the sum of five hundred dollars; *provided*, the cause of the proceedings in equity originated and one or both of the parties reside within the limits of said town of New Britain, and the premises in question, in cases of foreclosure or other proceedings relating to real estate, shall be situated in said town; but said court shall have jurisdiction of all cases brought to recover penalties or forfeitures under the orders or ordinances of said city or the provisions of this act. And in all cases in which the matter in

Jurisdiction.

demand shall exceed the sum of three hundred dollars an appeal from any final judgment rendered therein shall be had and allowed to either party, upon giving bond, with surety to the satisfaction of the judge of said court, to the next superior court of the county of Hartford.

Practice and proceeding.

The course of practice and manner of proceeding in said court shall be conformable to that in the superior court so far as is practicable, and all statutory provisions regarding the trial, disposition of, and mode of proceeding in cases in the superior court shall be applicable, so far as is practicable, to cases in said city court, except otherwise herein provided.

Judge, chosen by general assembly.

Term of office.

SEC. 62. There shall be a judge for said court, who shall be chosen by the general assembly; he shall enter upon the duties of his office on the first Monday of July next following his said election, and shall hold the same for a period of two years, and until another is chosen and sworn in his stead, and the oath to be taken by said judge shall be the same *mutatis mutandis*, as the oath provided by law to be taken by executive and judicial officers.

Assistant judge chosen by general assembly.

SEC. 63. There shall also be an assistant judge for said court, who shall be chosen by the general assembly, and shall hold office for the same term as the judge thereof, and shall be qualified in the manner provided by law for the qualification of said judge.

Assistant judge, powers of.

He shall have the powers and perform the duties of the judge of said court during the absence, inability, or disqualification of such judge, and in case of the death or resignation of such judge he shall continue to perform the duties until the end of the term.

Judge or clerk to designate substitute.

In case both judge and assistant judge shall be disqualified or unable to act in any civil cause, either the judge or clerk of said court may request in writing the judge of the city court of the city of Hartford, or the judge of the city court of the city of Meriden, or the judge of the city court of the city of Middletown, or the judge of the town court of Bristol, to act in place of the judge of said city court, and said judge, while so acting, shall have all the powers and perform the duties of the judge of said court during such disqualification, absence, or inability of the judge or assistant judge, and shall be paid while so acting the sum of seven dollars and fifty cents per diem from the treasury of said city.

Substitute judge, pay of.

Clerk of the city court.

SEC. 64. Said court shall have power to appoint and swear a clerk of said court, to continue in office during the pleasure of said court, who shall as to matters relative to his office as clerk of said court have the same power and authority and be entitled to the same fees as clerks of superior courts, and the oath to be taken by the clerk shall be the same, *mutatis mutandis*, as the oath provided by law to be taken by clerks of superior courts. It shall be the duty of the clerk of said city court, upon the allowance of any appeal from said court, to make a true and attested copy of the record in such cause for the party appealing, and he shall receive therefor such fees as are or may be allowed by law to the clerks of the superior court for copies.

Fees.

Corporation counsel and assistant attorney, how appointed.

SEC. 65. The common council of said city of New Britain shall have power to appoint an attorney, who shall be counsel to the corporation, also an assistant attorney to act in his absence, or at his request, both of whom shall be sworn to a faithful discharge of the duties of their office, and such attorney or corporation counsel shall have power to conduct all civil cases and matters of every description in which the city is interested, and to bring civil actions, and to defend civil actions and proceedings of every name and nature in the name of the city of New Britain before all courts, and shall appear in all civil actions brought for or against the city; additional counsel to assist the corporation counsel may be employed by the latter only by consent of the mayor.

Powers and duties of.

Additional counsel, how employed.

Prosecuting attorney, how appointed.

The common council of said city of New Britain shall also have power to appoint a prosecuting attorney, who shall prosecute all criminal matters and cases before the police court, and shall have all the powers of grand jurors of towns. In case of absence or inability of the prosecuting attorney to act, the assistant attorney for said city shall have all the powers and perform all the duties of prosecuting attorney during such absence or inability, and shall receive in compensation for his services, while so acting, the fees allowed by law to grand jurors.

Duties and powers of.

Vacancy how filled.

Assistant attorney to act as prosecuting attorney, when.

Compensation.

Office of corporation counsel and of prosecuting attorney may be held by one person.

Said common council may appoint the same person corporation counsel and prosecuting attorney, or may appoint different individuals to the separate offices. Upon entering upon the duties of his office, the prosecuting attorney shall take the oath required by law of grand jurors.

Prosecuting attorney, qualification of.

SEC. 66. The process in all actions brought to said city

City court process.

court shall be the same as process to the superior courts; which process may be signed by any officer of this state authorized to sign writs and judicial processes, or by the judge or clerk of said city court, and may be served by any officer duly qualified under the laws of this state to serve writs aud other judicial processes, or by the sheriff of said city, or by an indifferent person deputed to serve the same, to whom directed according to law and the provisions of this act; and all bonds of prosecution taken by any of the officers empowered to sign writs shall be good and effectual, and bonds of prosecution, special bail, and bonds for writs of error shall be taken to the adverse party.

Bonds.

Service of writs.

SEC. 67. All writs shall be served at least twelve days before the sitting of the court to which the same may be returnable; and all writs returnable to said court shall be returned to the clerk thereof on or before the Friday preceding the term of court to which the same may be returnable.

Council shall private room etc. for court.

SEC. 68. The common council of said city shall provide a suitable room and such other accommodations for said city court, including records, blanks, stationery, and so forth, contemplated by this act, as said judge may deem necessary.

Salary of judge and assistant judge.

SEC. 69. The salary of said judge shall be the sum of one thousand dollars per annum, and the salary of the assistant judge shall be the sum of two hundred and fifty dollars per annum, and shall be in lieu of all fees whatsoever for services as such judge, or assistant judge; and shall be paid from the city treasury in such manner as shall be provided by the ordinances of said city for paying money from said treasury. All fees arising from said court (except clerk's fees) shall be paid over by the clerk of said court to the city treasurer; said clerk may draw his order upon the city treasurer for all jury, witness, and officers, fees, or pay the same from any funds he may have in his hands; he shall render his account of the same under oath to the treasurer of said city semi-annually.

Fees to be kept by treasurer and paid by clerk.

Clerk to render account semi-annually.

Jurors, when and how summoned.

SEC. 70. Whenever either party to any cause pending before said city court desires the same to be determined by jury, said party shall so notify the clerk of said court, in writing, within the first three days of the term to which said cause is brought, and the said cause in such case shall be entered on the jury docket of said court for trial. Whenever, in the opinion of the judge, a jury shall be needed to attend upon said court,

then, by his direction, the clerk shall issue a warrant directed to the sheriff of said city or either of the constables of said town, commanding the officer receiving such warrant to draw and summon such jury, and such officer shall thereupon proceed in the manner herein provided.

Appointment of jurors.

SEC. 71. The common council of said City of New Britain, on the third Wednesday in June, annually shall, meet and then choose sixty or more electors of said city to serve as jurors at said city court, and shall return the names of said jurors under the hand of the mayor, if present, or in his absence under the hand of the president, *pro tempore*, of the common council, or in his absence under the hand of the senior alderman present at such meeting, to the clerk of said city court, who shall write each juror's name thus chosen fairly on separate pieces of paper, and roll up and put the same into a box which he shall provide and keep for that purpose; and whenever the sheriff or either of the constables within the city of said New Britain shall receive a warrant from the clerk of said city court to summon a jury to appear before said court, the officer receiving such warrant, taking with him one of the aldermen of the city, shall repair to the said clerk's office, and there, in the presence of such alderman and clerk, shall take out of said box so many of said papers as his warrant shall direct; and the persons whose names shall be found written thereon shall be summoned to appear before the court to which the warrant is returnable, to serve as jurors; and in case of neglecting to attend, shall be liable to such penalties as shall by the ordinances of said city be inflicted for such neglect. Authority to enact such ordinances is hereby conferred upon the common council of said City of New Britain; and in case any juror shall be challenged or excused, and a panel cannot be completed from the jurors summoned, the sheriff or other officer attending said court shall supply such deficiency by drawing in the presence of the court, others out of said box, and summoning them to attend and serve, until the panel shall be complete. The name of each juror who attends and serves in said court shall be again written on a separate piece of paper, and rolled up and put in another box, provided by the clerk for that purpose, and shall be liable to be drawn again only when there shall not, by reason of death, removal, or other cause, be a sufficient number in the first box to complete the panels for the year in which they are chosen to serve.

How summoned.

To complete panel.

Liability of jurors who have rendered service.

Police court.

Judge.

Assistant judge.

When a justice of the peace may act as judge.

Fees of substitute.

SEC. 72. The police court now existing within and for the city of New Britain shall be and remain a police court within and for said city. The judge of the city court for said city shall be judge of said police court, which said judge shall have and exercise the powers by law now vested in the judge of said police court, and such other powers and duties as are conferred and imposed on such police judge by this act. In case said judge shall at any time be unable or disqualified to act in any cause, the assistant judge shall perform the duties of the judge of said court during such absence, inability, or disqualification of such judge. In case both judge and assistant judge shall be disqualified or unable to act, the clerk of the court or prosecuting attorney may in writing request a justice of the peace, resident within said city to act as such judge, who while so acting under such request, shall have the same powers as such judge would have in like case; and such written request shall be recorded and kept with the records of said court by the clerk of the same. And the person so acting in the place and stead of such judge of said police court shall have the same fees as are by law allowed a justice of the peace in criminal cases, which fees shall be paid in the same manner as herein provided for the payment of costs to parties entitled to receive them.

Powers of judge and assistant judge or substitute.

SEC. 73. From and after the time when said judge and assistant judge shall commence the discharge of their official duties, no person or persons (other than said judge or assistant judge) within the limits of said city and town, except when acting as substitute, as hereinbefore provided, or may be provided in the subsequent sections of this act, shall have, use, or exercise any of the powers specified or mentioned in the preceding sections of this act, except in cases herein specially provided for; *provided*, that nothing in this act shall be so construed as to prohibit any magistrate now authorized by law to issue warrants for the arrest of offenders from issuing the same hereafter, or to prohibit justices of the peace from discharging any ministerial duty or office now by law imposed upon them, but all warrants issued on account of any offense committed within the jurisdiction of said police court shall command the officer serving the same to arrest the offender and bring him before the said police court, who shall deal with him in the same manner whether such warrant shall have been issued by any magistrate as aforesaid or by and from said police court.

Judge or assistant judge not disqualified in penal actions.

SEC. 74. No such judge or assistant judge shall be disqualified to sit in any *qui tam* or other penal action or prosecution from which a penalty may accrue to the treasurer of said city, by reason of his being a resident in said city and liable to taxation therein.

Police court jurisdiction.

SEC. 75. Said police court shall have authority, subject to the provisions of this act, to hear and determine charges for crimes and misdemeanors committed within the limits of the town and city of New Britain, and in that part of the town of Southington, in the county of Hartford, covered by the water-works of said city and by the waters of the Shuttle Meadow Lake, so called, and within one hundred rods measuring landward, from the high water line of said lake along the entire border thereof, the punishment of which, as prescribed by law, does not exceed a fine of two hundred dollars, or six months' imprisonment in a county jail, county or town workhouse, or such fine and imprisonment both. And in all such cases said court may proceed to trial, render judgment thereon, and grant a warrant for the execution thereof according to law; but in all cases the the person convicted may appeal from the judgment of said police court to the superior court next to be holden in the county of Hartford for the trial of criminal cases, except when the conviction shall be for the crime of drunkenness, profane swearing, and Sabbath-breaking; *provided*, he gives bonds, with good and sufficient surety, on the appeal, as said police court shall order, payable to the treasurer of the State of Connecticut, or the treasurer of the county of Hartford, as the law in each case may require, conditioned for the appearance of the person so convicted before said superior court to answer concerning the offense whereof he stands charged, and to abide the judgment that may be rendered by the said superior court. If the crime charged against the accused shall in any case be of so aggravated a nature as to require a greater punishment than is above specified, the accused shall be by said police court bound over to the next superior court having cognizance of the offense, in the manner provided by law in cases of binding over, by justices of the peace, and in all cases not bailable said court shall proceed in the same manner as now provided by law in like cases.

In Southington.

Appeals from judgment.

Bonds.

When Prisoners may be bound over.

Clerk of police court shall record proceedings.

SEC. 76. The clerk of the city court for said city shall be the clerk of said police court; said clerk shall keep a record of its proceedings, which shall be open during business hours for

Shall receive moneys due and account with treasurer.

public inspection, and shall receive all fines, penalties, and costs, and moneys founded on or received by reason of all and any convictions or judgments had and rendered by said police court and belonging to said city, and shall account for the same to and with the treasurer of said city in writing, under oath, on the first Monday of April and on the first Monday of October, or within ten days thereafter in each year, and as often as the common council of said city shall order, and shall pay the same into the treasury within thirty days of the time of accounting with the treasurer as aforesaid; said treasurer shall lodge said account on file and keep the same for the use of said city. The

Salary of clerk.

salary of said clerk and the time and manner of paying the same shall be fixed by the common council of said city, and such salary shall be in lieu of all fees whatsoever for criminal

Bond of clerk.

business. Said clerk shall, before entering up the duties of his office, execute a bond as hereinbefore prescribed, conditioned that he shall faithfully render an account in writing, under oath, to the treasurer of said city and pay over all fines, penalties, fees, and costs belonging to said city that shall come into his hands, into the treasury of the city, as is hereinbefore provided.

Council to provide court room and accommodations.

SEC. 77. The common council of said city shall provide a court room and such other accommodation for said police court as said judge shall deem necessary, including record books, blanks, stationery, and so forth; and said court shall be open for the transaction of business every day except Sunday, at

Court to open at eight-thirty.

eight-thirty o'clock in the forenoon, and for so long a time as shall be necessary to transact all necessary business before said court during said day.

Complaints, how made.

SEC. 78. Presentments or complaints in any criminal matter cognizable by said police court may be made to the same by the prosecuting attorney or the assistant attorney for the city of New Britain and the powers of grand jurors of the town of New Britain with regard to presentments to said police court shall cease and determine upon the passage of this act; and said police court, and the clerk thereof, shall exercise the same

Process.

powers in relation to the issuing of process against persons so complained of, and the granting of summons or capias for witnesses, as are conferred by law upon justices of the peace in such cases.

Adjournments of police court.

SEC. 79. Before entering upon the trial of any criminal cause, the said police court may adjourn hearing on trial thereof from time to time not exceeding fifteen days, unless said court, upon good cause shown, may deem a longer time necessary for the purpose of procuring material testimony, which time shall not exceed ninety days; and said court, if the offense charged be bailable, shall take good and sufficient bail, if offered, for the appearance of the person charged, at the day to which the trial or hearing is adjourned. If the case is within the final jurisdiction of said police court, the bond or recognizance shall be payable to the city treasurer, otherwise to the county or state treasurer as the nature of the offense shall require.

Bail bond.

Police court fees.

SEC. 80. Said police court is hereby required to charge and tax for the use of the city of New Britain, in any criminal proceeding, such clerk fees as are now allowed by law to the clerks of the superior court in like proceedings, and two dollars for the trial of each case and one dollar on each appeal, and the fees of the prosecuting officer who shall make any complaint or presentment shall be the same as those now provided by law for grand jurors of towns, and payable from the city treasury. All such fees of the prosecuting officer who shall make complaint shall be taxed and received by the clerk in favor of the city of New Britain; said clerk may pay unto persons entitled to costs in any criminal prosecution such costs as have of right accrued to them, taking their receipt therefor, but shall not pay costs to any person who shall not demand the same within six months after the same are taxed; *provided*, that no part of said costs shall be received by or paid to any salaried officer of said city, for any service whatever, as witness or otherwise; and said clerk may draw orders on the city treasurer for such sums as are necessary for the purpose hereinbefore indicated, or may pay the same out of the funds of the city in his hands.

Cost to be paid by clerk; limitation of time payable.

No costs to be paid to salaried city officers.

Fines and costs by whom received before and after commitment.

SEC. 81. The said clerk shall receive all fines and costs imposed by said police court, and paid before commitment, and account for the same to the city treasurer as hereinbefore provided; and all fines and costs paid after commitment shall be received by the keeper of the jail or of the work-house where the offender shall be confined, and by such keeper paid to the treasurer of the city of New Britain within thirty days after the same shall have been received by said keeper of said jail or work-house.

Forfeited bonds, duty of corporation counsel and clerk of police court in regard to.

SEC. 82. It shall be the duty of the corporation counsel of said city to prosecute, in the name of the city treasurer, any of the bonds mentioned in this act, which are payable to such treasurer within fifteen days after the same shall be forfeited, and account to and with the city treasurer for all sums received and recovered on such bonds except his taxable fees; and it is hereby made the duty of the clerk of said police court to give immediate information to the corporation counsel of the forfeiture of all bonds taken to the treasurer of said city, in pursuance of this act.

Confinement of criminals.

SEC. 83. The common council of the said city of New Britain may enter into any arrangement with the county commissioners of Hartford county, or with the inspectors of any work-house within said county, to receive and keep all persons who may be sentenced to confinement in the common jail of said county, or in such work-house by said police court; and it shall be the duty of the sheriff of Hartford county, his deputy, the sheriff of said city of New Britain, and of any constable of the town of New Britain, or either of the special constables or policemen of said city of New Britain, to convey all persons so sentenced, without delay, to the appointed place of confinement and deliver them to the keeper thereof, who shall receive and imprison such persons and employ them according to the rules, regulations, and discipline of such place of confinement, during the term for which they shall be severally sentenced and committed, or until they are discharged by law; but the said common council shall not have power to enter into any such agreement, at any one time, for a longer period than two years.

Juvenile offenders, commitment of.

SEC. 84. It shall be lawful for said police court, at its discretion, and in the manner provided by the laws of this state, to order any person brought before said court on any criminal presentment to be committed to any reform school or other institution now or hereafter established within this state for juvenile offenders, and the proper officer of such institution shall receive and keep such person according to the rules and discipline of the same.

Police court process, by whom served.

SEC. 85. Process issued by or returnable to said police court may be served by the sheriff of Hartford county, or his deputies, or any constable of the town of New Britain, or the sheriff, or any policeman, or special constable of the city of New Britain,

or any indifferent person deputed to serve the same, who shall by several receive the fees therefor now prescribed by law for constables of towns for like service and no more; *provided*, no fee shall be paid to any salaried officer of said city for such service, but the legal fees therefor shall be taxed and paid to the clerk, for the city treasury, upon conviction of any person arrested; *and provided further*, that the authority of the sheriff, or any special constable or policeman of said city, shall not extend beyond the limits of the town of New Britain, except as hereinbefore or hereinafter provided.

Salaried city officers shall receive no fees for serving process.

SEC. 86. It shall be lawful for all officers hereby authorized to serve process issued by and returnable to the police court, and it shall be their duty to arrest without previous complaint and warrant all such persons as are guilty of drunkenness, vagrancy, disorderly conduct, breaches of the peace and common assault, when such offenses shall be committed within the limits of the jurisdiction of said court, and such offenders shall be taken and apprehended in the act or on the present information of others; and it shall be lawful for said court to proceed to trial and render judgment without previous complaint and warrant, upon persons so arrested, in the same manner as if they had been arrested upon process issued by said court.

Arrest without warrant, when to be made.

SEC. 87. The officers of the town and of the city of New Britain and members of the police department of said city, shall have the same authority and power to arrest any person or persons within that part of the town of Southington described in section seventy-five of this act as they now have to make arrests within the limits of the town and city of New Britain, and all persons so arrested by them shall be brought forthwith before the police court of said city, which court shall thereupon proceed to trial and judgment as in all other similar cases now within its jurisdiction.

Authority of officers in the town of Southington.

SEC. 88. Nothing in this act contained shall affect the jurisdiction of grand jurors, or other informing officers of the town of Southington, or of justices of the peace of said town, over crimes, offenses, and misdemeanors committed in any part of said town of Southington.

Jurisdiction of Southington authorites not affected.

SEC. 89. Whenever any person shall be arraigned before said police court for drunkenness, vagrancy, disorderly conduct, or a breach of the peace, said court may indefinitely suspend judg-

Police court may suspend judgment

ment concerning him, whenever such forbearance shall seem to the court required, either by reason of the age of the accused or the circumstances under which the offense was committed.

Reduction or disallowance of fees.

SEC. 90. Said police court may reduce or disallow fees taxable by said court, in cases where the negligence of any ministerial or informing officer, or the discharge of the accused for want of evidence, or the insufficiency of the service rendered, or other circumstances, shall render such reduction or disallowance expedient in the view of said court, in the exercise of its sound discretion.

Sureties of the peace.

SEC. 91. Sureties of the peace and for good behavior may be required by said police court in such cases and in such manner as justices of the peace are now authorized by law to require the same; *provided*, the cause or occasion of requiring the same shall arise within the limits of the town of New Britain.

Fines, penalties, and forfeitures, how recovered.

SEC. 92. All fines, penalties, and forfeitures incurred by a violation of any of the provisions of this act, or any order or ordinance of the common council of said city, shall be for the use of said city, and may be recovered by an action of debt, or other proper action in the name of the city, brought to said city court, or by information of the prosecuting attorney made to said police court, in the cases specified in the twenty-third and twenty-fourth sections of this act, to be proceeded with in all respects as other actions brought to said city court, or other informations brought to said police court; *provided*, that no person shall be prosecuted both civilly and criminally for the same act of breaking any order or ordinance.

One act shall not authorize a civil and criminal prosecution.

Water supply.

SEC. 93. All the powers relating to the water supply of said city now vested in the common council thereof, and all duties imposed and powers conferred upon the water commissioners of said city are hereby continued in the common council of said city and the water commissioners thereof respectively, and the present water commissioners of said city shall hold their offices until the third Wednesday of April, 1896; said board of water commissioners shall consist of three electors of said city, who shall be chosen in the manner and for the terms in this act provided. Said common council shall annually, on or after the third Wednesday of April, 1897, choose by ballot one resident of said city to serve as water commissioner for the term of three years, and until another is chosen in his place; the person

Water commissioners, how chosen.

receiving a majority of the votes to be declared elected. Said common council shall, in the same manner, fill any vacancies which may occur in said board. Vacancies, how filled.

Sec. 94. The bonds commonly known as "water bonds" heretofore issued by the borongh and city of New Britain, under the various acts authorizing the same, together with all other obligations of said borough and city and the inhabitants thereof, are hereby expressly declared to be in full force and effect, and shall be obligatory upon said city and the inhabitants thereof to the same extent that they have been heretofore obligatory upon said borough and city and the inhabitants thereof. Water bonds and obligations to remain in full force.

Sec 95. The board of sewer commissioners shall consist of three electors of said city, who shall not be members of the board of street commissioners. The common council shall, during the month of April, on or after the third Wednesday in said month in each year, appoint one member of said board. who shall hold office for the term of three years from the third Wednesday of April of the year in which he is so appointed, and until his successor shall be appointed and qualified. Whenever a vacancy shall occur in said board it shall be filled in a manner provided in this section for the appointment of members, and said common council may remove any member of said board for cause. Sewer commissioners, how chosen. Vacancies, how filled.

Sec. 96. Said board of sewer commissioners shall be the trustees of the notes, scrip, or certificates of debt issued by said city for sewer purposes, and shall keep a record of all such notes, scrip, or certificates issued, disposed of, or pledged, and all moneys received by said board shall be by it paid over to the treasurer of said city. Sewer commissioners to be trustees of certificates of debt.

Sec. 97. Said board of sewer commissioners is authorized and empowered to attend to the construction, supervision, care, and management of the sewers and drains of said city, and have supervision over the construction of such portions of private drains or sewers as are within the limits of any public street, and to exercise any additional powers conferred upon it by said common council, and it shall keep a record of its official proceedings, and shall render a report of its doings to said common council annually, and oftener when by said common council requested, including a general exhibit of the state of its works, an account of sums requried to be expended therefor, and such other matters of information as may be called for by said com- Sewer commissioners, powers and duties of. To make report annually.

Under direction of the council.

mon council; *provided*, that said board shall always be under the direction of the common council of said city.

Police commissioners, how chosen.

SEC. 98. The board of police commissioners shall consist of three electors of said city. The common council shall, during the month of April, on or after the third Wednesday of said month in each year, appoint one member of said board, who shall hold office for the term of three years from the third Wednesday of April of the year in which he is so appointed, and until his successor shall be appointed and qualified.

Police commissioners, powers and duties.

SEC. 99. Said commissioners shall have the general management of the police department of said city, and make all needful rules and regulations for the government thereof, not conflicting with the laws of this state. They shall have the sole power of appointment and removal of officers and members of the police department of said city, and shall appoint their clerk. It shall be the duty of said board of police commissioners to appoint suitable persons to fill the offices of said police department, and other suitable persons as members of said police department, and to suspend, remove, or expel any officer or member from office or membership in said department whenever, in the judgment of said commissioners, such suspension, removal, or expulsion shall be for the best interest of the city, provided that no officer or member of said department shall be removed or expelled without having an opportunity to be heard as to the reason therefor before said board; and whenever any officer or member of said police department shall be removed or expelled from office or membership, and said commissioners shall appoint any person to fill the vacancy thus caused, or shall fill any vacancy that may at any time occur in said department, from any cause, such appointment shall be made in such a manner as to divide the membership of said department, as nearly as may be, equally between the two leading political parties for the time being; whenever any person shall be suspended, removed, or expelled from his office or membership in said department, or whenever any person shall be appointed an officer or member of said police department, it shall be the duty of said board of police commissioners to give a written notice within a reasonable time to the city clerk of said city of New Britain of such appointment, removal, or expulsion, and said board shall control and manage said department in such manner as it may

Shall appoint and remove officers.

May suspend, remove or expel police officers.

Hearings.

Appointments to be made so as to divide membership between the political parties.

Written notice to be given to the city clerk.

Control and management.

deem best calculated to serve the interests of said city. The present officers and members of the police department of said city, and the officers and members of said department hereafter appointed, shall hold their respective offices and membership in said department until removed or expelled by said board of police commissioners for cause, of which said board shall be the sole judge.

Board of police commissioners, compulsory attendance of witnesses before.

SEC. 100. The mayor of said city of New Britain, the clerk of the board of police commissioners, or any justice of the peace may sign and issue process of subpœna to compel the attendance of witnesses before the board of police commissioners of said city at any lawful meeting of said board.

Process of subpœna, how served.

SEC. 101. Such process of subpœna may be served in the same manner as now by law provided as to witnesses in civil causes, except that no fees shall be tendered to any witnesses at the time of said service. Any person upon whom such process has been legally served shall appear before said board in obedience to such process and testify as to any matters lawfully pending before said board.

Attendance of witnesses, how compelled.

SEC. 102. If any person upon whom such subpœna has been duly served shall refuse to attend before said board, the clerk of the board of police commissioners, by direction of said board, may issue a capias directed to some proper officer to arrest such witness and bring him before said board to testify, and in case such person shall refuse to testify, said board shall have power to adjudge such person to be in contempt and may issue a mittimus signed by its clerk and commit such person to jail for a period of not more than thirty days.

Fees of witnesses.

SEC. 103. The same fees as provided by law for witnesses in civil causes shall be paid out of the city treasury to any witness except policemen who shall attend and testify under the provisions of sections one hundred and one hundred and one; the amount of such fees to be certified by the clerk of said board to the proper auditing officer of said city.

Council to fix salaries of policemen; may call out supernumeraries.

SEC. 104. The common council may fix the amount of salaries of members of the police force, may call out the supernumerary police when it shall deem it necessary, and may authorize the mayor or captain of police to do the same; may fix the amount of their compensation while on duty, and do any other lawful act to render the police force most efficient. Said

Powers of police.

police and supernumeraries, when on duty, shall have the same power, within said city, to pursue and secure offenders as constables have in their respective towns.

Fire commissioners, how chosen.

SEC. 105. The board of fire commissioners shall consist of three electors of said city. The common council shall, during the month of April, on or after the third Wednesday of said month in each year, appoint one member of said board who shall hold office for the term of three years from the third Wednesday of April of the year in which he is so appointed, and until his successors shall be appointed and qualified.

Vacancies, how filled.

Whenever a vacancy shall occur in said board, it shall be filled in the manner provided in this section for the appointment of

Council may remove members.

members, and said common council may remove any members of said board for cause.

Fire Commissioners.

SEC. 106. Said commissioners shall have the general management of the fire department of said city, and make all needful rules and regulations for the government thereof, not conflicting

Shall appoint and remove firemen and their clerk.

with the laws of this state. They shall have the sole power of appointment and removal of officers and members of the fire department of said city, and shall appoint their clerk. It shall be the duty of the said board of fire commissioners to appoint suit-

May suspend, remove, or expel firemen.

able persons to fill the offices of said fire department, and other stitable persons as members of said fire department, and to suspend, remove, or expel any officer or member from office or membership in said department whenever, in the judgment of said commissioners, such suspension, removal, or expulsion shall be for the best interests of the city. Said commissiomers

Responsible for discipline and care of apparatus.

shall be responsible for the discipline, good order, and proper conduct of the whole fire department, both officers and men, and for the care of the horses, engines, hose-reels, fire-alarm telegraph, and all furniture and apparatus thereto belonging,

Control and management.

and have the superintendence and control of all the engine and other houses used for the purposes of the fire department, and all the furniture and apparatus thereto belonging. Said board shall control and manage said department in such manner as it may deem best calculated to serve the interests of said

Notice of appointments and removals to be given city clerk.

city. Whenever any person shall be suspended, removed, or expelled from his office or membership in said department, or whenever any person shall be appointed an officer or member of said fire department, it shall be the duty of said board of fire

commissioners to give a written notice within a reasonable time to the city clerk of said city of New Britain of such appointment, removal, or expulsion.

Present members to be retained.

SEC. 107. The present officers and members of the fire department of said city of New Britain, and the officers and members of said department hereafter appointed, shall hold their respective offices and membership in said department until removed or expelled by said board of fire commissioners for cause, of which said board of fire commissioners shall be the sole judges.

Police and fire commissioners to have no pay except chairman of fire commissioners.

SEC. 108. No pay shall be allowed to members of the board of police commissioners or to members of the board of fire commissioners, excepting the chairman of the board of fire commissioners, for any services rendered by them, but the actual expenses and disbursements of either of said boards incurred in the performance of its duties shall be paid from the city treasury when allowed by the common council, and no such expenses and disbursements shall be paid unless the same shall have been presented to the common council.

Actual expenses to be paid, how.

Police and fire commissioners to have power to purchase.

SEC. 109. Said boards of police and fire commissioners shall have full power and authority, each in its respective department, to purchase for said departments all necessary supplies of every name and nature, and to provide all necessary repairs and alterations in the apparatus, furniture, and property of said departments, and also to sell or exchange any of the property used in said departments when they shall deem it best so to do, having first obtained the consent of the common council. Failure to secure the consent of the common council before making such sale or exchange shall be cause for removal. The total amount expended in any one year by each of said boards as aforesaid shall not exceed the total sum appropriated in said year for their respective departments, and the members of the boards shall be held personally liable for any excess of expenditures, and whenever any bill is contracted as aforesaid the city auditor shall draw his order on the city treasurer in favor of the persons entitled thereto; *provided*, said bill shall have been first approved by a majority of the members of the board of the department to which said bill shall belong.

To sell or exchange only with consent of council.

Limitation of expenditures.

Commissioners personally liable.

Bills, how paid.

Police and fire commissioners, qualification of.

SEC. 110. The members of each of said boards shall be sworn by the clerk of said city to a faithful and impartial discharge of their duties, and a certificate of their appointment

and the administration of such oath shall be made and recorded in the records of the city.

Present members, term of office.

SEC. 111. The present members of all the boards provided for in this act shall hold office until the third Wednesday of April, 1896, when their terms of office shall, by virtue of the provisions of the act, expire.

Council to appoint water, sewer, police and fire commissioners.

SEC. 112. On or after said third Wednesday of April, 1896, and during said month the common council shall appoint, in the manner provided by law, three members of each of the boards of water commissioners, sewer commissioners, police commissioners, and fire commissioners, who shall hold their offices respectively, one for one year, one for two years, and one for three years, and after said appointment shall have been made all furture appointments shall be made for terms in conformity to the provision of this act; whenever a vacancy shall occur in any of said boards, it shall be filled in the manner provided in this section for the appointment of members, and said common council may remove any member of either of said boards for cause. The appointment of the members of each of the boards referred to in this section shall be made in such manner that no more thau two of the members of said boards shall belong to the same political party.

Terms of office.

Vacancies, how filled.

Removals for cause.

Minority representation.

Council to fix salaries.

SEC. 113. Nothing in this act shall be so construed as to affect the right of the common council to fix the salaries and compensation of the various officers and members of the fire and police departments.

Forms.

SEC. 114. Forms substantially like the following may be used in reference to the matters indicated in their titles, and shall be sufficient; but nothing in this section shall be construed as prohibiting the use of other forms in reference to the same matters, or as invalidating any other forms:

I. Form of Ordinance.

Form of ordinance.

Be it ordained by the common council of the city of New Britain, section one, and so forth.

II. Form of order under section 36.

Form of order for a walk or gutter.

Ordered, That (a or the) sidewalk (or gutter) on the side of street, from to be by the (proprietor or proprietors) of the lands fronting on said street, on that side thereof and between said points, to the acceptance of the street commissioner, before the day of , A. D. 18 .

III. Form of certificate of lien under section 53.

Form of certificate of lien.

This certificate witnesseth, that the city of New Britain has a lien on certain land in said city (and the buildings thereon), owned in whole or in part by A. B., bounded and described as follows, to wit: (describe the premises) and that the amount claimed as a lien as aforesaid on said premises is dollars and cents.

In witness whereof I have hereunto set my hand at said city, this day of , A. D. 18 .

C. D., Mayor (or City Clerk) of city.

IV. Form of certificate of discharge of lien under section fifty-three.

Form of discharge of lien.

This certificate witnesseth, that the lien heretofore claimed by the city of New Britain upon the premises owned in whole or in part by A. B., bounded and described as follows, to wit: (describe the premises) has ceased to exist.

In witness whereof I have hereunto set my hand, at said city, this day of , A. D. 18 .

C. D., Mayor (or City Clerk) of city.

V. Form of an order of apportionment under section thirty-nine.

Form of apportionment order.

Whereas, by an order of this common council, it has been made the duty of the proprietor of a certain piece of land, to wit: (describe it) to (sidewalk or gutters) in front of said land; and whereas, the said land is held by different persons, to wit: A. B., C. D., and E. F., in such a manner as to authorize this common council to apportion among said persons, pursuant to section thirty-seven of the city charter, the expenses of executing said order; and whereas, said expense is estimated at (or ascertained to be) dollars and cents. Ordered, that the said A. B. pay (state the fractional part) of said expense, and said C. D. (fractional part) of said expense (and so on).

VI. Form of complaint for violation of ordinance.

Form of complaint.

To the honorable city police court for the city of New Britain comes A. B., prosecuting attorney of said city, and on his oath of office complaint and information makes, that since the incorporation of said city, to wit: on the day of , A. D. 18 , and within the limits of said city, of the town of in the county of with force and arms (set forth the act

complained of) against the peace, contrary to the ordinance (or order, as the case may be) of said city, in such case provided, and contrary to the statute in such case provided; therefore the said prosecuting attorney prays process, and that the said may be arrested, held to answer to this complaint, and be therein dealt with according to law.

Dated at said New Britain, this day of , A. D. 18 .

A. B., prosecuting attorney.

VII. Form of action to recover fine, penalty, etc.

Form of action to recover.

To the sheriff of the city of New Britain:

By authority of the state of Connecticut, you are hereby commanded to summon A. B., of , to appear before the city court of the city of New Britain, within the county of Hartford, next to be holden at the city court room in said city, on the first Monday of , A. D. 18 , then and there to answer unto the city of New Britain, in a plea that to the plaintiff the defendant render the sum of , which to the plaintiff the defendant owes, and from them unjustly detains; whereupon the plaintiff declares and says that, heretofore, to wit: on the day of , A. D. 18 , the said A. B. (state the act or negligence which subjects the defendant to the fine, penalty, or forfeiture to be collected). All of which was contrary to the ordinance of said city entitled (give the title to the ordinance imposing the fine, penalty, or forfeiture). And the said defendant thereby became and still is liable to forfeit and pay to the plaintiff, for the use of the city treasurer, the sum of , recoverable in an action of debt on said ordinance. Whereby an action hath accrued to the plaintiff to demand and recover of the defendant the sum of , which to the plaintiff the defendant hath never paid, though often requested so to do. All of which is to the damage of the plaintiff in the sum of , and therefore they bring their suit. Hereof fail not, but due service and return make. C. D., of said New Britain, is recognized in the sum of dollars to prosecute, etc.

Dated at said New Britain, this day of , A. D. 18 .

Inconsistent acts repealed.

SEC. 115. From and after the time when the provisions of this act go into effect, all other existing provisions of law enacted by any public or private act for the special purpose of affecting the city of New Britain, excepting acts public and private, relating to the water supply of said city, shall be inope-

rative, and are hereby declared to be, from and after such time, repealed; but said repeal shall not impair or affect any rights, privileges, or immunities vested in the present city of New Britain or in any person or body corporate, or any pecuniary obligations now attaching to said community; and all matters, civil or criminal, commenced by virtue of the provisions of law so repealed, and pending, unfinished when said repealing provisions take effect, may be prosecuted to final effect, in the same manner as if this act had not been passed; no offense committed and no penalty or forfeiture incurred, and no tax or assessment paid or incurred, under any of the provisions of law herein repealed, or under any by-law, order, or ordinance made under any of said provisions, shall be in anywise affected by said repeal. The orders and ordinances of said city in force when this act takes effect shall thereafter continue in force, notwithstanding any provisions of this act, until repealed by the common council of said city.

Present rights or obligations not affected.

Repeal not to effect any penalty or tax or assessment incured.

Ordinances to continue in force until repealed.

SEC. 116. This act shall take effect from its passage.

Approved, June 6th, 1895.

CHARTER

OF THE

WATER-WORKS,

ACCEPTED JUNE 4, 1857.

WITH AMENDMENTS,

AND

ACTS AUTHORIZING THE ISSUE OF WATER BONDS

AND SEWER BONDS.

WATER-WORKS.

AN ACT TO SUPPLY THE BOROUGH OF NEW BRITAIN WITH WATER FOR PUBLIC AND PRIVATE PURPOSES.

SECTION

1. Borough empowered to take water for water-works from Shuttle Meadow brook.
2. Board of Water Commissioners.
3. Their powers and duties.
4. Quorum, and vacancies in board.
5. Assessment of compensation and damages, by whom made.
6. Water fund bonds, authority to issue, and amount.
7. Water Commissioners trustees of water fund bonds.
8. Water rents, how applied.
9. Deficiency of water rents supplied by tax.
10. Taxes for expenses of water-works, a lien.
11. Orders, and bonds, of Water Commissioners.
12. Corrupting the water, or injuring the water-works.
13. A public act, and how accepted.
14. When act takes effect.

Be it enacted by the Senate and House of Representatives in General Assembly convened.

(1857)

Borough authorized to take water from Shuttle Meadow brook,

SECTION 1. That *"the borough of New Britain," is hereby authorized and empowered to take water from the stream known as "Shuttle Meadow Brook," at any feasible point near the southwest corner of the town of New Britain, either within or without the limits of said town; provided that rights of other proprietors sustaining damage thereby, be paid for by said borough, as hereinafter provided, and such water to convey and distribute into and through the said borough, by means of aqueducts, reservoirs, and other suitable works, in such quantities as the necessities and conveniences of said borough may require; also, to take and hold any lands or other estate, or any privileges, and to exercise any powers not inconsistent with the laws of this state, that may be necessary or convenient for carrying into full effect the purposes of this act.†

To take lands.

* See amendment next following. † Amended May 30th, 1860.

Water commissioners (amended by charter, Section 93.)

SEC. 2. Said borough shall immediately upon its acceptance of the provisions of this act, proceed to elect three persons, who shall act as a board of water commissioners, with the powers conferred by this act, and shall hold office until the next annual meeting of said borough, and until others are chosen in their stead and sworn, and at each annual meeting hereafter there shall be chosen three water commissioners, to hold office for one year, and until their successors are sworn.

Water commissioners, powers and duties of.

SEC. 3. Said commissioners are hereby authorized and empowered to purchase and take conveyances for and in the name of the borough, of all lands, or other estates or privileges, necessary or convenient for accomplishing the purposes of this act; to make contracts for labor and materials for the general purposes contemplated by this act; to dam and hold in sufficient quantities the water of said stream; to lay and construct all necessary pipes, aqueducts, or reservoirs, either within or without said borough; to make use of the ground or soil under any railroad, street, high or private way, for the purposes of laying said pipes or aqueducts in such manner as least to obstruct or impede travel thereon, causing all damage done thereto to be repaired, and all damages sustained by any person or corporation, in consequence of the interruption of travel, to be paid to such person or corporation; to make and establish public reservoirs and hydrants, under the direction of the warden and burgesses; to regulate the distribution and use of said water, and establish the prices to be paid therefor. *Provided*, that in the regulation of water for all public uses, said board shall be under the direction of the warden and burgesses; to collect all water rents, and pay over the same to the borough treasurer, to audit, allow, and draw orders on the treasurer for the payment of all claims against said borough on account of said water works, and generally to attend to the construction, supervision, care and management of said water works, and to exercise any additional powers that may from time to time be conferred upon them by said borough; and they shall keep a record of their official proceedings and render a report of their doings to said borough, including a general exhibit of the state of the works, an account of sums required to be expended therefor, and such other matters of information as may be called for by the warden and burgesses at each annual meeting; and to the warden and

Water for public use.

To keep records and make reports.

burgesses whenever by them required; and said commissioners shall keep regular books of account.

Quorum and vacancies.

SEC. 4. A majority of said commissioners shall constitute a quorum for the transaction of any of the business of said board, and all vacancies which shall occur in said board, by death, resignation, or otherwise, shall be filled as soon as may be by the warden and burgesses.

Damages, how ascertained and paid.

SEC. 5. Whenever disagreement shall be had between said board and the owner or owners of any property or privileges which may be required for the purposes of this act, as to the amount of compensation or damages to be paid to such owner or owners for the same, or whenever such owner shall by law be incapable of contracting, or be absent from this state, such compensation or damages may be assessed by three disinterested persons, under oath, appointed by either judge of the supreme court of errors, on application made to said judge, by or on behalf of either party, after such notice shall be given of such application, as said judge shall see fit to prescribe, which said appraisers shall report their doings, embracing the amount of their assessment, to the clerk of the superior court for Hartford county, to be by him recorded, and thereupon such assessment shall be taken and held to be a final adjustment of said compensation and damages between said parties, and upon payment thereof, or deposit of the same with the county treasurer, to the use of such owner or owners, said commissioners may proceed with the construction of said works, without liability to any further claim to compensation or damages.

Water bonds, first series of $50,000.

SEC. 6. For the purpose of defraying the cost of construction of said water-works, including the cost of purchase and the other expenses incident thereto, and for no other purpose whatever, said borough is hereby authorized and empowered to issue notes, scrip, or certificates of debt, to be denominated on the face thereof, "Water Fund of the borough of New Britain," to an amount not exceeding in the whole the sum of fifty thousand dollars, bearing interest at no greater rate than seven per cent. per annum, the principal of which shall be payable at some certain time or times, within thirty years from issuing of the same, and the amount of said notes, scrip, or certificates which may at any time be issued together with the times of payment of the principal and interest thereof, and the rate of in-

Rate of interest.

Water commissioners to be trustees of and sell the bonds.

terest shall be prescribed by said borough, in legal borough meeting for that purpose specially called and held, and said notes, scrip, or certificates shall be signed by the warden and countersigned by the treasurer of said borough, and shall, when issued, be obligatory upon said borough and the inhabitants thereof, according to the purport and tenor of the same.

SEC. 7. Said board of water commissioners shall be the trustees of the notes, scrip, or certificates of debt, issued by said borough, shall superintend the issuing of the same, and regulate the particular form thereof, and after the same or any part thereof shall be issued, they may sell the same, in such manner and on such terms as they may deem best, or they may pledge the same for moneys borrowed by said borough, to be used in or about the construction of said works. And said board shall keep a record of all such notes, scrip, or certificates issued, disposed of, or pledged, and all moneys received by said board shall be by them paid over to the borough treasurer.

To keep a record.

Water rents, how expended.

SEC. 8. The avails of all water rents shall be first applied to defraying the ordinary and current expenses of said water-works, after which, to the payment of the interest on said notes, scrip, or certificates, and if there shall at any time still be an excess, the borough treasurer shall report the fact to the warden and burgesses, who may direct whether the same be applied to the extinguishment of the principal debt incurred by the issuing of said notes, scrip, or certificates, or to any other purpose in connection with said works.

Deficiencies, how provided for.

SEC. 9. In case the avails of water rents in any year shall be inadequate to meet the current expenses of said water-works, and the interest of said notes, scrip, or certificates, the deficiency shall be supplied by the laying of a tax on the grand list of all persons liable to borough taxation, which said tax may be laid at any borough meeting legally called for that purpose, and said borough may at any borough meeting for that purpose specially called and held, lay taxes for the purpose of paying the principal debt aforesaid, or any part thereof, by the establishment of a sinking fund or in any other manner.

Tax for deficiencies, how collected.

Water rents a lien upon property.

SEC. 10. Taxes laid for the purposes mentioned in the preceding section, may be collected in the same manner as other borough taxes, and any claim of said borough for the use of water, shall be a lien upon the house, tenement, or lot, wherein,

or in connection with which, said water was used by the owner or occupier thereof. And said lien may be foreclosed before any court having jurisdiction, in the same manner as a mortgage is now foreclosed, according to the rules of equity.

Orders to designate purpose for which drawn.

SEC. 11. It shall be the duty of said commissioners to designate in all orders by them drawn upon the treasurer, the class to which the same belongs, whether construction account or expense account, and the treasurer shall pay all such orders from the appropriate fund as established in the foregoing sections of this act. And such commissioners and treasurer shall give bonds with sufficient surety for the faithful performance of their several trusts in such sums and shall receive for their services such compensations as the warden and burgesses shall prescribe.

Bonds.

Corrupting water or injuring the water-works, penalty for.

SEC. 12. If any person shall willfully and maliciously corrupt the water in any reservoir, hydrant, aqueduct pipe or other portion of said water-works, or destroy or injure any portion of such works, or any materials or property used or designed to be used in connection therewith, he shall forfeit and pay to said borough treble damages in an action of trespass brought by said borough, and such person, on conviction thereof before any court having jurisdiction of the offense, shall be punished by fine not exceeding three hundred dollars, or by imprisonment not exceeding one year, or by such fine and imprisonment both.

To go into effect when accepted by the borough.

SEC. 13. This act shall to all intents and purposes be a public act, and may be altered, amended, or repealed by the general assembly; and the same shall not go into effect until it has been accepted by said borough at a borough meeting legally warned for that purpose, in conformity with the provisions of the by-laws of said borough for the warning of special meetings thereof, and to be held within two weeks from the date of the passage hereof, at which meeting the votes shall be taken by ballots, written "yes" and "no," and if two-thirds of the ballots so cast in said meeting shall have upon the same the word "yes," then this act shall be in full force, otherwise the same shall be null and void; the boxes to receive the ballots aforesaid shall be kept open on such day of voting from nine o'clock A. M., until two o'clock P. M., and the votes shall be counted and the result declared in the manner prescribed for the election of the annual officers of said borough; and if at said meeting this act

shall be accepted by said borough, said borough may thereupon proceed at the same meeting to vote upon the matter of issuing said notes, scrip, or certificates, and to elect said commissioners and transact any other business contemplated in the provisions of this act, provided notice thereof shall have been inserted in the call for said meeting.

To take effect.

SEC. 14. This act shall take effect from the day of its acceptance, in manner aforesaid, by the said borough of New Britain.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO SUPPLY THE BOROUGH OF NEW BRITAIN WITH WATER FOR PUBLIC AND PRIVATE PURPOSES."

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Amending section first of the preceding act.

SECTION 1. That the act entitled "An act to supply the borough of New Britain with water for public and private purposes," passed at this session of the general assembly, be amended by the insertion of the words, "The warden, burgesses, and freemen of," between the words "that" and "the" in the first line of the first section of said act.

SEC. 2. This act shall be a public act, and take effect from its passage.

AMENDING "AN ACT TO SUPPLY THE BOROUGH OF NEW BRITAIN WITH WATER FOR PUBLIC AND PRIVATE PURPOSES."

SECTION
1. Extension of water pipes to town limits authorized.

SECTION
2. When act takes effect.

Resolved by this Assembly:

SECTION 1. That the warden, burgesses and freemen of the

borough of New Britain be, and they hereby are, authorized and empowered to extend and continue their water pipes to localities without the limits of said borough, and within the town of New Britain, and to supply and distribute water by them taken under the provision of said act, to the proprietors or occupants of such localities, upon such terms as may be agreed upon between said proprietors or occupants and the proper officers of said borough; and all the powers and privileges conferred upon said borough by said act, shall apply to this act, so far as may be necessary to make the same fully effectual for the purposes aforesaid; *provided*, that this act may be altered, amended, or repealed at the pleasure of the general assembly. (1860) Water commissioners authorized to extend pipes within town limits.

SEC. 2. This act shall take effect from the day of its passage.

Approved, May 30th, 1860.

BONDS, SECOND SERIES.

AUTHORIZING THE BOROUGH OF NEW BRITAIN TO ISSUE BONDS FOR PROCURING AN ADDITIONAL SUPPLY OF WATER.

Resolved by this Assembly:

That the warden, burgesses, and freemen of the borough of New Britain are hereby authorized to take and hold any and all lands and other estate that may be necessary for laying an additional pipe from the present reservoir of the water works to the said borough, said land and other estate to be taken, held and compensation to be made in the manner provided in the "Act to supply the borough of New Britain with water for public and private purposes." (1867) Additional main pipes.

Resolved further, That for the purpose of defraying the cost of laying such additional main pipe, and other expenses incident to the construction and completion of said water works, and for said purpose only, said borough is hereby authorized and em- Water bonds second series of $75,000.

powered to issue notes, scrip, or certificates of debt, to be denominated on the face thereof, the "Water Fund of the borough of New Britain, second series," to an amount not exceeding in the whole the sum of seventy-five thousand dollars, bearing interest at no greater rate than seven per cent. per annum, the principal of which shall be payable at some certain time or times within thirty years from issuing the same, and the amount of said notes, scrip, or certificates which may at any time be issued, together with the times of payment of the principal and interest thereof, and the rate of interest shall be prescribed by said borough in legal meeting for that purpose called and held, and said notes, scrip, or certificates shall be signed by the warden and countersigned by the treasurer of said borough, and shall, when issued, be obligatory upon said borough and the inhabitants thereof according to the tenor of the same; and the water commissioners of said borough shall have the same interest in, and power over said bonds for the purposes aforesaid, which they now have by law in and over bonds hitherto issued pursuant to the charter of said water-works, *provided*, that this act shall not take effect, until approved by a majority of the legal voters of said borough, at a meeting duly warned and held for that purpose.

Approval necessary.

Approved, July 11th, 1867.

AUTHORIZING THE ISSUE OF BALANCE OF BONDS HERETOFORE AUTHORIZED BY THE BOROUGH OF NEW BRITAIN BY THE CITY OF NEW BRITAIN.

(1871)

Authorizing the completion of the issue of the second series.

Whereas, the general assembly of the state of Connecticut, at the May session thereof, in the year 1867, did pass a resolution authorizing the community, then known as the warden, burgesses, and freemen of the borough of New Britain, to issue notes, scrip, or certificates of debt, to the amount of seventy-five thousand dollars for the purposes of aiding in the construction and completion of the water works of said New Britain: and whereas, said community did accept said resolution, as provided therein, and has duly issued bonds pursuant thereto, to the amount of fifty thousand dollars: and whereas said community, now known as the city of New Britain, is desirous of issuing the amount of bonds remaining to be issued, under the original grant of authority aforesaid,

Resolved by this Assembly:

That said city of New Britain is hereby authorized to issue its notes, scrip, or certificates of debt to the amount of twenty-five thousand dollars, to be denominated on the face thereof, the "Water Fund of the city of New Britain," and to be signed by the mayor and countersigned by the treasurer of said city, but to be in all other respects conformatory to the provisions of the original resolution accepted as aforesaid. First issue of bonds by city.

Approved, June 16th, 1871.

BONDS, THIRD SERIES.

AUTHORIZING THE CITY OF NEW BRITAIN TO ISSUE ADDITIONAL WATER BONDS.

Resolved by this Assembly:

That for the purpose of defraying the cost and expenses incident to the construction, completion, and extension of the water-works of the city of New Britain and for said purpose only, the said city of New Britain is hereby authorized and empowered to issue notes, scrip, or certificates of debt, to be denominated on the face thereof, the "Water Fund of the city of New Britain, third series," to an amount not exceeding, in the whole, the sum of seventy-five thousand dollars, ($75,000,) bearing interest at no greater rate than seven per cent. per annum, the principal of which shall be payable at some certain time or times within thirty years from issuing the same, and the amount of said notes, scrip, or certificates, which may at any time be issued, together with the times of payment of the principal and interest thereof; and the rate of interest shall be prescribed by said city, in legal meeting for that purpose called and held, and said notes, scrip, or certificates, shall be signed by the mayor, and countersigned by the treasurer of said city, and shall, when issued, be obligatory on said city and the inhabitants thereof, according to the tenor of the same; and the water (1873) Water bonds, third series of $75,000.

commissioners of said city shall have the same interest in and power over said bonds for the purposes aforesaid, which they now have, by law, over the bonds commonly known as "water bonds," hitherto issued by the borough and the city of New Britain, under the various acts authorizing the same; *provided*, that this act shall not take effect until approved by a majority of the legal voters of said city, at a meeting duly warned and held for that purpose.

Approval necessary.

Approved, July 1st, 1873.

BONDS, FOURTH SERIES.

AN ACT TO EXTEND THE POWERS OF THE BOARD OF WATER COMMISSIONERS AND AUTHORIZING THE ISSUE OF ADDITIONAL BONDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened.

(1883) Board of water commissioners to take streams or water sources, (Panther Swamp canal.)

SECTION 1. The board of water commissioners of the city of New Britain for the purpose of improving and increasing the water supply of said city are hereby authorized and empowered in behalf of said city to take and hold any stream or water source, and any land necessary or convenient for constructing aqueducts and reservoirs within the limits of the towns of Berlin and New Britain, and any land or water right, title, privilege or franchise which may be required, taken or impaired for the purpose aforesaid, shall be compensated for, and the damages therefor ascertained, liquidated and paid in the same manner provided in the fifth section of the act to supply the borough of New Britain with water for public and private purposes.

Damages, how ascertained and paid.

Water bonds, fourth series of $30,000.

SEC. 2. For the purpose of defraying the cost of thus increasing its water supply, said board of water commissioners are hereby authorized to issue notes, scrip, or certificates of debt to an amount not exceeding thirty thousand dollars, which shall be denominated on their face, the "Water Fund of the city of New Britain, fourth series," and shall in all respects be issued in conformity to the provisions of a resolution authorizing the city of New Britain to issue additional water bonds.

Passed at the May session of this assembly, 1873, and approved July 1st, of the same year.

SEC. 3. This act shall not take effect until approved by a majority of the legal voters of said city at a meeting duly warned and held for that purpose. Approval necessary.

Approved, May 3d, 1883.

BONDS, FIFTH SERIES.

AN ACT TO EXTEND THE POWERS OF THE BOARD OF WATER COMMISSIONERS AND AUTHORIZING THE ISSUE OF ADDITIONAL BONDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened.

SECTION 1. The board of water commissioners of the city of New Britain, for the purpose of improving and increasing the water supply of said city, are hereby authorized and empowered in behalf of said city to take, hold, and use the water of any spring or springs, stream or streams, or other waters, and any land necessary or convenient for conducting aqueducts and reservoirs within the limits of the towns of Plainville and Southington, to such an extent as may be necessary and expedient in carrying into effect the objects of this act, and any land or water right, title, privilege or franchise which may be required, taken, or impaired for the purpose aforesaid, shall be compensated for and the damages therefor ascertained, liquidated and paid in the manner provided in the fifth section of the act to supply the borough of New Britain with water for public and private purposes; provided that this act shall not enable the city of New Britain to take and appropriate any streams of water whose natural course is westwardly and to or towards the village of Plainville, but only such streams as naturally flow eastwardly and towards New Britain or Shuttle Meadow reservoir.

Water Commissioners authorized to take water and build aqueducts in Plainville and Southington.

Damages, how ascertained and paid.

Streams flowing westwardly towards Plainville not to be taken.

SEC. 2. That for the purpose of defraying the increased cost and expense, over and above the sum of thirty thousand dollars, ($30,000,) incident to the construction, completion

Water bonds, fifth series of $20,000.

and extension of the water works as provided in an act entitled "An act to extend the powers of the board of water commissioners of the city of New Britain," passed at the January session 1883, of this assembly, and approved May 3, 1883, and also for the purpose of strengthening, raising and enlarging the dam known as Shuttle Meadow dam, and for the purpose of extending and continuing and replacing water pipes or hydrants, and for any other purpose necessary for the proper maintenance and preservation of the water works of said city, said board of water commissioners are hereby authorized and empowered to issue notes, scrip, or certificates of debt to an amount not exceeding twenty thousand dollars, ($20,000,) which shall be denominated on their face, the "Water Fund of the city of New Britain, fifth series," and shall in all respects be issued in conformity to the provisions of a resolution authorizing the city of New Britain to issue additional water bonds, passed at the May session, 1873, of this assembly, and approved July 1st, of the same year.

Approval necessary.

SEC. 3. This act shall not take effect until approved by a majority of the legal voters of said city, present at a meeting duly warned and held for that purpose.

BONDS, SIXTH SERIES.

EXTENDING THE POWERS OF THE BOARD OF WATER COMMISSIONERS OF THE CITY OF NEW BRITAIN, AND AUTHORIZING THE ISSUE OF ADDITIONAL BONDS.

Resolved by this Assembly:

(1893) Water bonds, sixth series of $200,000, purpose of issuing.

New dam, gate house, acquiring new lands and water rights and building west canal.

SECTION 1. That for the purpose of defraying the cost of and expenses incident to the building, construction, and completion of a new dam and gate-house at Shuttle Meadow lake, so called, and of defraying the cost of acquiring land on and near the borders of said lake, for the purpose of increasing the holding capacity of said lake, and of changing the location of the highway located next west of said lake, and for the purpose of defraying the cost of lands, streams, water rights, and privileges acquired

in the town of New Britain for the construction and building of an aqueduct or canal known as the west canal, and fully described on a map on file in the office of the board of water commissioners in said city, and entitled "Map showing the layout of West canal, and the land necessary to be taken for its construction," and dated October 6th, 1892; and for the purpose of defraying the cost of and expenses incident to the acquiring of the said land, rights, and privileges, and the building and construction of said aqueduct or canal through and over said acquired land for improving and increasing the water supply of said city; and for the purpose of defraying the cost of land acquired for the laying of a twenty-four inch water main from said lake into said city; for the purpose of defraying the cost thereof, and expenses incident to the purchasing of pipe and all material necessary to the laying, construction, and completion of said water main, and the cost of laying said pipe; and for the purpose of defraying the cost of all work, labor, materials, and services rendered, and expenses incident to the laying of said water main, and the construction and completion of said dam, said gate-house, and said canal, and the acquiring of said lands for the purpose of improving and increasing the water supply of said city, the board of water commissioners of said city of New Britain are hereby authorized to issue notes, scrip, or certificates of debt to an amount not exceeding two hundred thousand dollars, which shall be denominated on their face, the "Water Fund of the city of New Britain, sixth series," and shall in all respects be issued in conformity to the provisions of a resolution authorizing the City of New Britain to issue additional water bonds, passed at the May session of the general assembly, 1873, and approved July 1st, of the same year.

New water main from Shuttle Meadow to city.

Issue to conform to provisions of act of 1873.

SEC. 2. The said issue of notes, scrip, or certificates of debt to said amount not exceeding two hundred thousand dollars is hereby authorized in addition to the sum of thirty thousand dollars as provided in an act entitled "An act to extend the powers of the board of water commissioners of the city of New Britain," passed at the January session of the general assembly, 1883, and approved May 3d, 1883, and in addition to the sum of twenty thousand dollars, as provided in an act entitled "An act to extend the powers of the board of water commissioners," passed at the January session of the general assembly, 1884, and approved March 18th, 1884.

To be in addition to issues of sums of $30,000, and of $20,000, previously authorized.

Approval necessary.

SEC. 3. This act shall not take effect until approved by a majority of the legal voters of said city, present at a meeting duly warned for that purpose.

Approved, March 16th, 1893.

AUTHORIZING THE CITY OF NEW BRITAIN TO REDEEM ITS OUTSTANDING BONDS BY THE ISSUE OF NEW BONDS.

Resolved by this Assembly:

Renewal issue of city and water fund bonds authorized.

When any bonds, notes, scrip, or certificates of debt issued by the city of New Britain, or by the board of water commissioners of said city, under and by authority of the general assembly of this state, shall become due and payable, and said city of New Britain, or said board of water commissioners, shall desire to redeem them by the issue of new bonds, notes, scrip, or certificates of debt, said city of New Britain, or said board of water commissioners, shall be and are hereby authorized to issue new bonds, notes, scrip, or certificates of debt for such purpose, which said bonds, notes, scrip, or certificates of debt shall bear upon their face the same denomination as the original bonds, notes, scrip, or certificates of debt with the additional words "renewal issue"; *provided*, each and every such renewal issue shall in all respects be issued in conformity to the provisions of the original resolution, enacted by the general assembly of this state, authorizing the issue of the original bonds, notes, scrip, or certificates of debt to be redeemed by such renewal issue.

Renewal bonds to conform to original provisions.

Approved, March 10th, 1893.

ACTS

AUTHORIZING THE ISSUE

OF

SEWER BONDS.

SEWER BONDS.

SEWER FUND BONDS, FIRST SERIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

(1874) Sewer bonds, $150,000.

SECTION 1. That for the purposes of defraying the cost and expense incident to the laying out, constructing, and repairing of sewers and drains in the city of New Britain, and of paying the indebtedness of said city already accrued, and now existing on account of the purchase of the "Shepard property," so-called, and for said purposes only, the said city of New Britain is hereby authorized and empowered to issue notes, scrip, or certificates of debt, to be denominated on the face thereof, the "Sewer Fund of the city of New Britain," to an amount not exceeding in the whole the sum of one hundred and fifty thousand ($150,000) dollars, bearing interest of no greater rate than per cent. per annum, the principal of which shall be payable at some certain time or times within years from issuing the same, and the amount of said notes, scrip, or certificates which may at any time be issued, together with the times of payment of the principal and interest thereof, and the rate of interest, shall be prescribed by said city in legal meeting for that purpose called and held, and said notes, scrip, or certificates shall be signed by the mayor and countersigned by the treasurer of said city, and shall, when issued, be obligatory on said city and the inhabitants thereof, according to the tenor of the same, and all sums of money realized from the sale or other disposition of said "Shep-

ard property," or any portion thereof. or from sewer assessments, shall belong to the sewer fund of said city, and shall be used for sewer purposes only. . . . . .

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Approval necessary.

SEC. 5. This act shall take effect from its passage and when approved by a majority of the legal voters of said city present at a meeting duly warned and held for that purpose.

Approved, June 9th, 1874.

SEWER FUND BONDS, SECOND SERIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

(1886) Sewer bonds, $50,000.

SECTION 1. For the purpose of defraying the cost and expense incident to laying out, constructing, repairing and extending sewers and drains, in the city of New Britain, and for said purpose only, the said city is hereby authorized and empowered to issue notes, scrip, or certificates of debt, to be denominated on the face thereof, the "Sewer Fund of the city of New Britain, second series," to an amount not exceeding in the whole the sum of fifty thousand ($50,000) dollars, bearing interest at no greater rate than five per cent. per annum, the principal of which shall be payable at some time or times within thirty years from issuing the same, and the amount of said notes, scrip, or certificates which may at any time be issued, together with the times of payment of the principal and interest thereof, and the rate of interest shall be prescribed by said city in legal meeting for that purpose called and held; and said notes, scrip, or certificates shall be signed by the mayor and countersigned by the treasurer of said city, and shall, when issued be obligatory on said city and the inhabitants thereof according to the tenor of the same.

Duties of sewer commissioners.

SEC. 2. The board of sewer commissioners of said city shall be the trustees of the notes, scrip, or certificates of debt issued by said city under the provisions of this act, shall superintend

the issuing of the same, and regulate the particular form thereof; and after the same or any part thereof shall be issued, they may sell the same in such manner and on such terms as they may deem best, or they may pledge the same for moneys borrowed by said city to be used for sewer purposes. Said board shall keep a record of all such notes, scrip, or certificates issued, disposed of or pledged, and all moneys received by said board shall be by them paid over to the treasurer of said city.

Approval necessary.

SEC. 3. This act shall take effect from its passage, and when approved by a majority of the legal voters of said city present at a meeting duly warned and held for that purpose.

Approved, March 12th, 1886.

SEWER FUND BONDS, THIRD SERIES.

Resolved by this Assembly:

(1893) Sewer bonds, $100,000.

SECTION 1. That for the purpose of defraying the cost and expense incident to the laying out, constructing, repairing, and extending sewers and drains in the city of New Britain, and to increase the sewer facilities of said city, and for said purpose only, the said city of New Britain is hereby authorized and empowered to issue notes, scrip, or certificates of debt, to be denominated on the face thereof; the "Sewer Fund of the city of New Britain, third series," to an amount not exceeding in the whole the sum of one hundred thousand ($100,000) dollars, bearing interest at no greater rate than five per cent. per annum, the principal of which shall be payable at some time or times within thirty years from issuing the same, and the amount of said notes, scrip, or certificates of debt which may at any time be issued, together with the times of payment of the principal and interest thereof, and the rate of interest, shall be prescribed by said city in legal meeting for that purpose called and held; and said notes, scrip, or certificates of debt shall be signed by the mayor and countersigned by the treasurer of said city, and shall, when issued, be obligatory on said city and the inhabitants thereof according to the tenor of the same.

Duties of sewer commissioners.

SEC. 2. The board of sewer commissioners of said city shall be the trustees of the notes, scrip, or certificates of debt issued by said city under the provisions of this act, shall superintend the issuing of the same, and regulate the particular form thereof; and after the same or any part thereof shall be issued, they may sell the same in such manner and on such terms as they may deem best, or they may pledge the same for moneys borrowed by said city to be used for sewer purposes. Said board shall keep a record of all such notes, scrip, or certificates issued, disposed of, or pledged, and all moneys received by said board shall be by them paid over to the treasurer of said city.

Approval necessary.

SEC. 3. This act shall not take effect until approved by a majority of the legal voters of said city present at a meeting duly warned and held for that purpose.

Approved, May 5th, 1893.

SEWER FUND BONDS, FOURTH SERIES.

Resolved by this Assembly:

(1895) Sewer bonds, $100,000.

SECTION 1. That for the purpose of defraying the cost and expenses incident to laying out, constructing, repairing, and extending sewers and drains in the city of New Britain, and the increase of sewer facilities of said city, and for said purposes only, the said city of New Britain is hereby authorized and empowered to issue notes, scrip, or certificates of debt, to be denominated on the face thereof, the "Sewer Fund of the city of New Britain, fourth series," to an amount not exceeding in the whole the sum of one hundred thousand ($100,000) dollars, bearing interest at no greater rate than five per cent. per annum, the principal of which shall be payable at some time or times, within thirty years from issuing same, and the amount of said notes, scrip, or certificates of debt, which may at any time be issued, together with the times of payment of the principal and interest thereof, and the rate of interest, shall be prescribed by said city in legal meeting for that purpose called and held; and said notes, scrip, or certificates of debt shall be signed by

the mayor and countersigned by the treasurer of said city, and shall, when issued, be obligatory on said city and the inhabitants thereof according to the tenor of the same.

Duties of sewer commissioners.

SEC. 2. The board of sewer commissioners of said city shall be the trustees of the notes, scrip, or certificates of debt issued by said city under the provisions of this act, shall superintend the issuing of the same, and regulate the particular form thereof; and after the same or any part thereof shall be issued, it may sell the same in such manner and on such terms as it may deem best, but no bonds shall be sold at less than par, or it may pledge the same for moneys borrowed by said city to be used for sewer purposes. Said board shall keep a record of all such notes, scrip, or certificates issued, disposed of, or pledged, and all moneys received by said board shall be by them paid over to the treasurer.

Approval necessary.

SEC. 3. This act shall not take effect until approved by a majority of the legal voters of said city present at a meeting duly warned and held for that purpose.

Approved, June 20th, 1895.

AN ACT AMENDING THE CHARTER OF THE CITY OF NEW BRITAIN.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

SECTION 1. The Common Council of the city of New Britain is hereby authorized to provide by ordinance for the placing of any or all electric wires now or hereafter in use in said city underground, by the parties owning or operating the same, when in the judgment of said council public interests require the same to be done, under such restrictions and in such manner as said council may prescribe.

SEC. 2. Said Common Council may also provide penalties for failure of any person or persons to carry out all reasonable orders under this act regarding said wires.

SEC. 3. The city of New Britain is hereby authorized also to build, construct, and maintain, in any street or highway, or in any part of any street or highway in said city, main and lateral conduits, with manholes and ventilating shafts, and all other appurtenances pertaining to conduits, for telephone, telegraph, fire alarm, electric light, and all other electric wires now or hereafter used in said city, and to cause all such wires to be placed in such conduits, and to charge for the use of said conduits such reasonable sum by way of annual or other rental as the Common Council of said city may determine, and said Common Council may pass such orders and ordinances as may be necessary and proper to carry into effect the power hereby conferred. The sum to be charged for the use of such conduits shall be determined upon the following basis, viz.: A reasonable interest upon the cost of construction, and the creation and maintenance of a sinking fund for

the repair, maintenance, and cost of conduits, manholes, ventilating shafts, and appurtenances, and the sum charged shall be apportioned among the users of said conduits according to the number of ducts occupied therein by the parties or corporations owning or using the same. When the amount to be charged to any corporation or other party by way of annual or other rental has been determined by the Common Council of said city, written notice thereof, signed by the clerk of said city, shall be given to said parties or corporations, and if any such party or corporation shall claim to be aggrieved by such determination of such sum so to be charged for the use of the conduit, such party or corporation, within thirty days after notice of such determination of the same, may appeal by petition to any judge of the superior court, or any judge of the court of common pleas for Hartford county for a re-estimate of such sum ordered to be paid by it; and such appeal shall be heard by said judge to whom the same shall be taken. As many of the parties interested in said matter as choose to do so may join in such appeal, and when separate appeals are taken by different parties concerning said estimate of said sum to be charged for the use of said conduits, all of said appeals shall be heard and tried as one cause. Said appeal shall be by a suitable petition in writing, setting forth the action of said Common Council in the premises, and asking for a re-estimate of the sum to be charged for the use of said conduits, with a citation attached thereto, signed by any authority authorized to sign writs returnable before the judge to whom the appeal may be taken, at 2 o'clock p. m., two weeks from the date of said petition, and said citation shall be served upon the clerk of said city at least six days before the return day thereof. If, upon hearing upon said appeal, said judge shall find cause to alter said estimate, then he shall proceed to re-estimate the sum which shall be charged the appellant or appellants for the use of said conduits, and such re-estimate shall be binding upon the city of New Britain and upon the appellant or appellants. Such judge shall have for the purpose of disposing of such appeal all the power of the superior court, and may render judgment thereon, which may be reviewed by the supreme court of errors on appeal, in the manner provided by law, and may tax costs in favor of either party, and issue execution for the sum to

be taxed, as by civil process in the superior court. Said judge shall, when the proceedings in any case arising under this act are closed, return all the papers connected with the case to the clerk of said city, to be by him kept on file. The sum to be charged for the use of such conduits upon the application of any person or corporation owning or using wires therein, shall be re-estimated as of the first day of January in each year. Any person or corporation having the right to put wires in such conduits, may put the same therein at any time, without charge, until the first of January of the ensuing year.

SEC. 4. In case any conduit is built and maintained by any party or corporation within said city, and the parties or corporations who are to use said conduits in connection with the builders or owners thereof cannot agree with the owner upon the amount to be paid for such joint use and occupancy, either party owning, using, or desiring to use said conduits, may apply to any judge of the superior court or a judge of the court of common pleas for Hartford county, by a suitable petition in writing, setting forth the facts relating to the ownership, use, and proposed use of said conduit, and that the parties interested are unable to agree as to the sum to be paid for such joint use, and said judge shall fix said sum, and the basis for his action shall be the same as hereinbefore provided for the use of conduits owned by the city. Said petition shall be accompanied by a citation attached thereto, signed by any authority authorized to sign writs returnable before the judge to whom it is brought, at 2 o'clock p. m., two weeks from the date of said petition, and said citation shall be served upon all parties interested at least six days before the return day thereof. As many parties interested as desire to do so may join in one petition, and, if there are separate petitions pending before the same judge at the same time, they may be heard and tried as one cause, and he shall have the same power as he would have in case of appeals, and the right of the parties to have his decision reviewed shall be the same as hereinbefore provided.

SEC. 5. For the purpose of defraying the costs and expenses incident to the construction, completion, and maintenance, repairs, and extension of conduits, manholes, ventilating shafts, and appurtenances authorized to be built by said city by this amendment,

said city of New Britain is hereby authorized and empowered to issue notes, scrip, or certificates of debt, to be denominated on the face thereof, "The subway fund of the city of New Britain, first series," to an amount not exceeding in the whole the sum of fifty thousand dollars, bearing interest at no greater rate than five per cent. per annum, the principal of which shall be payable at some certain time or times within thirty years from issuing the same, and the amount of said notes, scrip, or certificates which may at any time be issued, together with times of payment of the principal and interest thereof, and the rate of interest, shall be subscribed by said city in legal meeting for that purpose called and held, and said notes, scrip, or certificates shall be signed by the mayor and countersigned by the treasurer of said city, and shall, when issued, be obligatory on said city and the inhabitants thereof according to the tenor of the same.

SEC. 6. Nothing in this resolution contained shall empower the Common Council of said city to cause the trolley wires of the street railway in said city or high potential wires, that is to say electric wires carrying five hundred volts, or over, or wires used in operating signals on any railroad, or wires used in connection with the operation of any railroad by means of electricity upon a third rail system, to be placed underground.

SEC. 7. Whenever a meeting of the Common Council shall be called for the purpose of filling any vacancy, as provided in section five of the present charter of the city of New Britain, written notice of said meeting, signed by the clerk of said city, and properly addressed, shall be mailed to each member of said Common Council by said clerk, at least three days before the time of said meeting.

SEC. 8. Whenever an appeal shall be taken, as provided in section 56 of the present charter of said city, such appeal shall suspend the payment of damages to all parties interested, as well as the payment of benefits, until said appeal shall be finally determined, and upon the determination of said appeal, said damages shall become immediately due and payable from said city.

SEC. 9. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 10. This act shall take effect from its passage.

Approved June 20, 1899.

HOUSE JOINT RESOLUTION AUTHORIZING THE CITY OF NEW BRITAIN TO ISSUE BONDS.

Resolved by this Assembly:

SECTION 1. That the city of New Britain be and is hereby authorized and empowered to issue bonds, notes, scrip, or certificates of debt, to be denominated on the face thereof the Sewer Fund of the City of New Britain, to an amount not exceeding in the whole the sum of one hundred and fifty thousand dollars, bearing interest at no greater rate than four per cent. per annum, the principal of which shall be payable at some certain time within twenty-five years from issuing the same, and the amount of said bonds, notes, scrip, or certificates which may at any time be issued, together with the times of payment of the principal and interest thereof, and the rate of interest, shall be prescribed by said city in legal meeting for that purpose called and held, and said bonds, notes, scrip, or certificates shall be signed by the mayor and countersigned by the treasurer of said city, and shall when issued be obligatory on said city and the inhabitants thereof, according to the tenor of the same. Said bonds, note, scrip, or certificates of debt, or the funds raised thereon, shall be used solely in exchange for, or in purchasing or discharging evidences of debt heretofore issued by said city of New Britain, and which become due and payable July 1, 1899, to the amount of one hundred and fifty thousand dollars. And any income derived from the sale of said bonds, notes, scrip, or certificates of debt in excess of said one hundred and fifty thousand dollars, shall be paid into the treasury of said city and credited to the account of construction and repairs of sewers and drains.

SEC. 2. This resolution, when approved by a majority of the legal voters of said city present at a meeting duly warned and held for that purpose, shall be obligatory upon said city and upon the inhabitants thereof, according to the tenor and purport of the same.

Approved April 11, 1899.

AN ACT AMENDING THE CHARTER OF THE CITY OF NEW BRITAIN.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

The Common Council of the city of New Britain, in addition to the powers heretofore conferred upon it, shall also have the power to make such orders or ordinances as it shall see fit in relation to licensing and regulating, within the limits of said city, peddling, buying, selling, and dealing in junk, old metals, rags, glass, or second-hand articles, and to make the violation of such ordinances a misdemeanor to be prosecuted before the police court of said city, and to prescribe penalties for such violation.

Approved, May 29, 1901.

AN ACT AUTHORIZING THE CITY OF NEW BRITAIN TO ISSUE BONDS FOR ITS WATER SUPPLY.

Resolved by this Assembly:

SECTION 1. That for the purpose of defraying the cost and expense of improving and increasing the water supply of the city of New Britain, and of fully and completely carrying out the provisions of a resolution concerning the water supply of New Britain and authorizing the issue of bonds by the city, approved June 10, 1897, and for the purpose of doing all and singular the acts and things and making the improvements mentioned in section two of said resolution and defraying the cost and expense thereof, said city of New Britain is hereby authorized and empowered to issue notes, scrip, or certificates of debt in addition to the amount named in said section two of said resolution to a further amount, not exceeding seventy-five thousand dollars, which shall be denominated on their face Water Fund of the City of New Britain, Eighth Series, and shall in all respects be issued in conformity to the provisions of a resolution authorizing the city of New Britain to issue additional water bonds, approved July 1, 1873.

SEC. 2. The said issue of notes, scrip, or certificates of debt to said amount not exceeding seventy-five thousand dollars is hereby authorized in addition to all other sums heretofore authorized to be issued by said city or the water commissioners thereof.

SEC. 3. The provisions of a resolution authorizing the city of New Britain to redeem its outstanding bonds by the issue of new bonds, approved March 10, 1893, shall apply to the bonds, notes, or certificates of debt to be issued under the provisions of this resolution.

SEC. 4. This resolution shall not take effect until approved by a majority of the legal voters of said city present at a meeting duly warned for that purpose.

Approved, June 4, 1901.

AN ACT AMENDING THE CHARTER OF THE CITY OF NEW BRITAIN CONCERNING THE SEWAGE OF THE CITY.

Resolved by this Assembly:

SECTION 1. That the Common Council of the city of New Britain shall have power upon recommendation of the board of sewer commissioners of said city, to lay out, build, construct, and repair drains, conduits and sewers, or a system of sewerage, wherever it may deem the same necessary, through or along any street, highway, or public or private grounds in said city, and if, in the judgment of said Common Council necessary or expedient, to extend, build, and construct said drains and sewers, or a system of sewerage, and the outlet or outlets of said system, and the connections thereof, beyond the limits of said city, in or through the towns of New Britain, Newington and Berlin, or in or through either of said towns, and in, through, over, and upon the streets, highways, and public and private lands in any of said towns, and under the right of way or rights of way of any railroad in any of said towns, and in said city or towns, or either or any of them, except as hereinafter provided, for the disposal of sewage and sewerage of said city, and of the inhabitants and corporations therein, to construct,

operate and maintain sewer works and sewer beds for filtration and other purposes connected with the disposal of the sewage and sewerage of said city, and of the inhabitants and corporations therein, and for the purposes above named, or any of them, and for the purpose of improving and utilizing lands and estate acquired or to be acquired for any of said purposes, the said city of New Britain may take and acquire by purchase or otherwise any lands in fee, and any rights or easements in lands, water courses, or ways, within the limits of said city and towns, or either or any of them, that said Common Council may deem necessary, and said Common Council may cause all roof, storm, and ground water, as well as all acids, unless neutralized to the satisfaction and acceptance of the board of sewer commissioners, to be separated from house or crude sewage, and from the system that may be adopted for the carrying of such sewage; *provided*, that no such sewer works or sewer beds other than drains, conduits, sewers, and necessary appurtenances for carrying sewage and sewerage, shall be established outside the limits of said town of New Britain, excepting in the section of country in the town of Berlin bounded north by the Berlin town line, east by the north and south highway next east of Christian lane, and the Hartford and New Haven turnpike, south by the Mattabeset river and land of Gustave Wahl, and west by Christian lane. The only routes to be followed in conducting sewage and sewerage from the city and town of New Britain to the filtration beds and sewer works to be established under this resolution, so far as said routes lie outside of the town of New Britain, are described as follows, to wit: The route leading from the Piper Brook outfall in the city of New Britain, after it leaves the New Britain town line, passes through the lands of William Richards, H. Fields, J. G. Peterson, J. W. Holmes, and W. L. Davis, in the town of Newington, east of the highway known as Christian lane, and through the lands of W. L. Davis, J. Sauter, Frederick Splettstoeszer, August Splettstoeszer, passing under the Middletown branch of the New York, New Haven and Hartford Railroad Company's tracks, and crossing the highway known as the Beckley Quarter road, and through lands of Charles Leigey, all in the town of Berlin. The route leading from the Glen street outfall in the city of New Britain, after it leaves the New Britain town line, passes

through lands of Joseph Towers, estate of Patrick Devitt, deceased, and under the Berlin branch of the New York, New Haven and Hartford Railroad Company and, through the farms of Theodore A. Stanley and Charles Ellis in the town of Berlin near the town line of New Britain ; also through lands of J. W. Holmes and W. L. Davis in the town of Newington, and through lands of John Sauter, Frederick Splettstoeszer and August Splettstoeszer, and passing under the Middletown branch of the New York, New Haven and Hartford Railroad Company, and crossing the highway known as the Beckley Quarter road, and through lands of Charles Leigey, all in the town of Berlin. As an alternative route from both said outfalls, after said routes come together at Christian lane near the New Britain town line, the route may follow in Christian lane southerly to the north line of John Sauter's farm, thence through Sauter's farm to the routes above described on said Sauter's farm, and thence to the terminus of said route on land of Charles Leigey, it shall be as first above described.

SEC. 2. Whenever under the provisions of this resolution it shall in the judgment of said Common Council become necessary or expedient for said city to take and acquire any land or rights or easements in lands, water courses, or ways within the limits of said city or town of New Britain or the towns of Berlin and Newington, or either of them, the Common Council of said city shall appoint a committee to prepare a descriptive survey of the work contemplated being done therewith or thereupon, and to agree with the parties as to the damages on account of such work, and the agreement made by them, if any, having been ratified by said Common Council, and the sums agreed upon as damages having been paid to the parties entitled thereto, or deposited to their credit in the city treasury, said city may go on to the completion of said improvement and do the acts necessary or convenient for that purpose ; but if said Common Council shall be unable to agree with the parties interested as to the damages aforesaid, any judge of the superior court or the supreme court of errors may, on application of said city or of any party in interest, after causing such notice to be given of the pendency of such application as he shall deem just and reasonable, appoint three judicious and disinterested freeholders of the county of Hartford to estimate such

damages, and said committee having been duly sworn and having given notice of the time and place of its meeting for the purpose aforesaid, in the manner prescribed by said judge, shall meet at the time and place designated, and having heard all parties in interest who shall appear before it, shall determine the amount of the damage sustained by any and all persons or corporations whose lands, water courses, or ways, or rights or easements therein, shall have been taken by said city pursuant to the provisions of this resolution, and in determining said damages said committee may take into account the special benefits received by said parties. Thereupon said committee shall report in writing to the said judge, who may confirm, correct, or set aside said report as he may deem just, in which latter case, said committee, or a new one to be then appointed by said judge, shall proceed as before, and said report being finally accepted by said judge shall be recorded by the clerk of the superior court for Hartford county, and the award of damages therein contained shall be final between the parties; all papers connected with said case, by whomsoever held, shall then be delivered to the clerk of the city of New Britain, who shall keep the same on file for public inspection, and said damages being paid or deposited as before provided, said city may proceed to complete said public improvement and do all acts necessary or convenient for that purpose. Nothing contained in this resolution shall be construed as absolving said city from liability to any person or corporation for damages which may be occasioned to the person or property of such person or corporation in addition to the damages agreed upon or ascertained in the manner hereinbefore provided, by reason of the use made by said city of any land or rights or easements in land, water courses, or ways acquired by said city under the authority of this resolution.

SEC. 3. Said Common Council shall have power to assess such portions as it may deem reasonable of the cost of the public works and improvements above described, upon the property within the limits of said city (not having already paid a regular assessment for sewer benefits) for the carrying off of the sewage, surface, or other drainage for which said sewer, drain, or improvement may be constructed, or which may be in any way improved or benefited thereby, and the sum so assessed shall be a lien upon the said

property subject to the provisions of section fifty-three of the present charter of said city, as to continuance, foreclosure, collection, and release of the same, and subject also to all the other provisions of said section; and in assessing such benefits, said Common Council shall not be limited to the property abutting on said improvement, but benefits may be assessed upon any person or corporation whose property is benefited by the construction of such sewer, drain, or improvement. Such assessments shall be made to the same extent, with the same limitations, and in the same manner as sewer assessments are now made under the charter of said city.

SEC. 4. When the majority of the property owners on any street outside of the city limits and within the town of New Britain shall bring a petition to the Common Council of said city for the construction or extension of sewers in such street, said Common Council may order the construction or extension of such sewer, and assessments for benefits therefore may be made upon any person or corporation whose property is benefited by the construction or extension of the same, to the same extent and in the same manner as if said sewer were constructed upon a street within the limits of said city, and said Common Council may, in addition to such assessments, require the petitioners for such sewer to pay, or give a satisfactory bond, payable to said city, to secure the payment of the expenses to which the city shall be put in making maps, surveys and assessments for said sewer and the construction and extension of the same, and may require the payment of an additional sum for the privilege of making connections with said sewer.

SEC. 5. For the purpose of defraying the costs and expenses incurred under the provisions of this resolution of every name and nature, said city of New Britain is hereby authorized and empowered to issue notes, scrip, or certificates of debt, to be denominated on the face thereof, "The Sewer Fund of the City of New Britain, Sixth Series," to an amount not exceeding in the whole the sum of three hundred thousand dollars, bearing interest at no grater rate than five per centum per annum, the principal of which shall be payable at some certain time or times within thirty years from issuing the same, and the amount of said notes, scrip, or

certificates, which may at any time be issued, together with times of payment of the principal and interest thereof, and the rate of interest, shall be prescribed by said city in legal meeting for that purpose called and held, and said notes, scrip, or certificates, shall be signed by the mayor, and countersigned by the treasurer of said city, and shall, when issued, be obligatory on said city and the inhabitants thereof, according to the tenor of the same.

SEC. 6. The police court of the city of New Britain shall have the same authority over the lands, property, and estate of said city owned or used by it under the provisions of this resolution, and within a distance of one hundred rods from said property and estate, that it now has in part of the town of Southington covered by the waters of Shuttle Meadow lake, and all officers authorized to serve process issued by and returnable to said police court shall have the same power to arrest any person or persons upon said property or estate, or within one hundred rods therefrom, as such officers have now in the town of Southington under section eighty-seven of the charter of said city, but nothing herein contained shall affect the jurisdiction of grand jurors or other informing officers of the town or towns within which said property or estate is situated, over crimes, offences, and misdemeanors, committed in any part of said town or towns.

SEC. 7. Said board of sewer commissioners is authorized and empowered to attend to the construction, supervision, care, and management of all public and private drains heretofore built by said city, or built under the provisions of this resolution, as well as all filter beds and sewer works and all connections with such public sewers or drains, or any of the sewer systems of said city, and shall have full charge of the use made or to be made of said public or private sewers or drains and filter beds and sewer works, and may by themselves and their agents enter into or upon any and all property or estate connected in any way with the public sewers or drains to investigate and examine such connections, and shall have authority to order the discontinuance of any improper use of said sewers, drains, or sewer connections, and of any use not conforming to the regulations adopted by said board. Said sewer commissioners shall have full authority over the use to be made of all connections, and shall prepare a set of

rules, regulations, and requirements covering the use and construction of all branches and connections, private or public, that are now made or are to be made to said sewer system, and may exercise any additional powers conferred upon them by said Common Council; they shall keep a record of their official proceedings, and shall render a report of their doings to said Common Council annually and oftener if by said Common Council requested, including a general exhibit of the state of the public works, and account of sums required to be expended therefor, and such other matters or information as may be called for by said Common Council; *provided*, that said board shall always be under the direction of the Common Council of said city.

Approved, June 17, 1901.

AMENDING THE CHARTER OF THE CITY OF NEW BRITAIN CONCERNING THE SUBWAY.

Be it enacted by the Senate aud House of Representatives in General Assembly couvened:

SECTION 1. Section five of the act amending the charter of the city of New Britain, approved June 20, 1899,. is hereby amended by striking out the word "fifty" in the eighth line of said section and substituting in lieu thereof the word "thirty-six," and no bonds shall be issued by said city under the provisions of said act exceeding the sum of thirty-six thousand dollars which are now outstanding.

SEC. 2. Section six of said act is hereby amended by striking out in the third and fourth lines thereof the words "or high potential wires, that is to say, electric wires carrying five hundred volts or over."

SEC. 3. The rental derived by said city for the use of the conduits already constructed, and the money on hand and unexpended derived from the sale of bonds authorized by said act, shall be used only for the maintenance, repair, and for reasonable supervision of said conduits, and for providing a sinking fund for the payment of the bonds already issued for such construction. No other conduits shall be constructed by said city without further authority of the general assembly obtained for that purpose.

SEC. 4. This act shall take effect from its passage.

Approved, June 17, 1901.

AN ACT AMENDING AN ACT AMENDING THE CHARTER OF THE CITY OF NEW BRITAIN.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

SECTION 1. Section one of an act authorizing the city of New Britain to increase its water supply and issue additional bonds therefor, approved May 11, 1903, is hereby amended to read as follows: The city of New Britain, a municipal corporation located within the county of Hartford in this state, for the purpose of increasing its water supply, is hereby authorized and empowered to acquire and take, by purchase or otherwise, and hold, the waters, or so much thereof as may in the opinion of the board of water commissioners of said city be necessary, of the North Branch, so called, of the Pequabuck river, and any or all of its tributaries, together with any and all water rights connected therewith, whether owned by any municipal, public, or private water company, corporation, or otherwise, at any point or points on said North Branch and said tributaries within the town of Burlington in this state and above the road known as the Old Turnpike connecting the borough of Bristol and the village of Farmington, and, for the purpose of holding, storing, purifying, or conveying the waters aforesaid, may in like manner acquire and take any or all lands, rights of way, easements, and other property within the limits of the towns of Burlington, Bristol, Plainville, Southington and New Britain, whether owned by any municipal, public, or private water company, corporation, or otherwise, which may in the opinion of said board be necessary, and may erect on any lands so acquired and taken, proper dams, reservoirs, fixtures, structures, and other appliances, and make such excavations and provide such other means as may in the opinion of said board be necessary or advisable for the purpose of holding and conveying said waters to and into Shuttle Meadow lake, so called, in said town of Southington, or to and into the said city of New Britain, and may construct and lay down such conduits, canals, pipes, or

other works under, through, or over any lands, water courses, railroads, and public or private ways, as may in the opinion of said board be necessary and convenient for the use of said city; and, for the purpose of carrying out the provisions and objects of this act, may dig up any such lands and rights of way, and, under the direction of the board of selectmen of the town in which the work is located, may enter upon and dig up any such public ways in said town in such manner as to cause the least hindrance to public travel, and shall hold the town in which such ways are located harmless from all liabilities to parties claiming damages from any cause resulting from the acts of said city. The said city shall pay all damages sustained by any person or corporation in property by the taking of any land, right of way, water, water source, water right, or easement, or any other thing done by said city under the authority of this act. Said city, or any person or corporation entitled to damages as aforesaid under this act who fails to agree with said city as to the amount of damages sustained, may have the damages assessed and determined in the manner provided in the fifth section of "An Act to Supply the Borough of New Britain with Water for Public and Private Purposes," approved May 26, 1857. Nothing herein contained shall be so construed as to give to the city of New Britain the right to take or appropriate any water, water source, water supply, or water right, from or within the town of Southington.

Sec. 2. For the purposes of defraying the costs and expenses of increasing the water supply of said city and fully carrying out the purposes of this act, said city is hereby authorized to issue bonds, notes, or certificates of debt, to be denominated on the face thereof "Water Fund of the City of New Britain, ninth series," to an amount not exceeding in the aggregate the sum of three hundred thousand dollars, which bonds shall in all respects be issued in conformity to the provisions of a resolution authorizing the city of New Britain to issue additional water bonds, approved July 1, 1873, excepting that the rate of interest upon such bonds, notes, or certificates of debt shall not exceed five per cent. per annum, and subject further to the provisions of a resolution authorizing the city of New Britain to redeem its outstanding bonds by the issue of new bonds, approved March 10, 1893.

SEC. 3. All the rights granted to said city by this act and not otherwise specifically provided for herein or in existing laws shall be exercised by said board of water commissioners or their successors in authority acting in behalf of said city.

SEC. 4. This act shall take effect when approved by a majority of the legal voters of said city present and voting at a meeting duly warned and held for that purpose.

Approved, May 11, 1903.

AN ACT AMENDING THE CHARTER OF THE CITY OF NEW BRITAIN.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section twenty-three of the act revising and amending the charter of the city of New Britain, approved June 6, 1895, is hereby amended by adding after the word "council" in the eighty-fifth line of said section the words "and the chairman of the street committee," so that the paragraph of said section containing said line when amended shall read as follows: Provided, that no alderman or councilman shall receive any fee, salary, compensation, or reward for services as such alderman or councilman, except the president *pro tempore* of the common council and the chairman of the street committee, until the said city shall have a population of thirty thousand inhabitants.

Approved, June 9, 1903.

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Yeas and nays, see rules.

ORDINANCES

AND

STANDING RULES

OF THE

COMMON COUNCIL.

ORDINANCES.

CHAPTER I.

ACCOUNTS AND CLAIMS.

Be it ordained by the Common Council of the City of New Britain :

SECTION 1. *Contracting Accounts.* No account shall be contracted in behalf of said city, or, if contracted, shall be of any binding force, unless the person so contracting be duly authorized by the charter of the city or some order or ordinance of the Common Council, or by the committee of supplies thereof; provided, however, that said committee of supplies shall not make or contract, or consent to the making or contracting of any account to an amount exceeding ten dollars, without special authority granted it by a vote of said Common Council.

SEC. 2. *Bills to be Itemized.* All bills or claims against the city shall, where the nature of the case admits of it, contain the items, respective dates, and name of contracting party, and shall not otherwise be approved or paid.

SEC. 3. *Judgments.* Any claim against the city by reason of the final judgment of a court or judge, shall be certified by the Corporation Counsel to be correct before being presented to the committee on claims.

SEC. 4. *Auditor's Orders.* No order shall be drawn by the Auditor upon the Treasurer without a previous vote of the Common Council authorizing the same, except for the pay rolls and the regular salaries of city officers which shall be duly approved by the Mayor. The only evidence of such authority shall be a certified copy of the vote of said Common Council, which it shall be the duty of the City Clerk to deliver forthwith to the Auditor. All orders so drawn shall specify the nature of the claims for which they are respectively drawn.

SEC. 5. *Payments from the Treasury.* No money shall be paid from the City Treasury except upon the written order of the Auditor specifying the nature of the claim, and any payment otherwise made shall not be binding upon said city; provided, however, that notes of said city, payable at bank, or interest on city notes, scrip, or certificates of debt, may be paid by the City Treasurer.

SEC. 6. *Treasurer's Receipts.* The Treasurer shall pay all orders so drawn in the order in which they shall have been presented.

Whenever any money shall be paid into the Treasury of said City, the Treasurer shall execute duplicate receipts thereof, one of which shall be delivered to the party paying said money, and the other deposited immediately with the City Clerk.

SEC. 7. *Claims for Damages Certified by City Clerk.* When any assessment of damages against the city, for any public improvement, is due and payable to any person or persons, a bill for the amount of damages assessed to each in excess of the benefits assessed to the same person for the public improvements, shall be by said person presented to the City Clerk, and having been, by the City Clerk, compared with the order of assessment and certified to be correct, shall be passed in the same manner as other bills. In case any person in whose favor such bill for damages is passed, shall refuse to accept the order drawn therefor, the Auditor shall forward such order to the Treasurer, who shall thereafter pay the same on demand of the person in whose favor it was drawn.

SEC. 8. *Committee on Claims; Street Bills.* A committee on claims shall annually be appointed from among the members of the Common Council, to whom all bills, accounts and claims against the city, except such claims as are otherwise provided for in the ordinances, shall be referred, and who shall carefully and faithfully examine such bills, accounts and claims, and, when necessary, examine all persons contracting or having knowledge of the same, shall note thereon their approval or disapproval, and report the same to the Common Council, with all informalities or

errors discovered therein. Said Council shall not approve nor order the payment of any such bill, account or claim until said committee shall have reported thereon, unless by a unanimous vote of said Council, such reference shall be dispensed with in any particular case. Said committee however, shall not approve the bills of the Street Commissioner unless they have previously been approved by the Street Committee.

SEC. 9. *When Payment of Claim Withheld.* In any case any person to whom a claim is due and payable, shall be indebted to the city, the City Clerk shall withhold the order for the payment of such claim until such indebtedness is satisfied.

SEC. 10. *Claims for Damages.* Whenever any claim for damage to person or property shall be presented against said city, by bill, petition to the court of Common Council, or otherwise, except in cases of assessments provided for in the Charter or Ordinances of said city, the Court of Common Council shall appoint a proper committee to inquire into and report the facts or refer the same to the Committee on Claims, provided that no such claim shall be so referred, or considered, unless it shall appear by the certificate of the City Clerk, indorsed upon the paper or petition whereby the same is presented to the court of Common Council, that due notice of said claim was reasonably given to him as required by the statute laws of this State in such cases.

Upon receipt of any such notice the City Clerk shall forthwith transmit the same to the Corporation Counsel, who shall at once proceed to examine into such claim and investigate all the circumstances and any legal question arising thereon; keeping a written record or memorandum of the facts and results thus ascertained; and when said claim is considered by the committee to which it may be referred the Corporation Counsel shall be present with said record, or memorandum.

Such committee shall notify any person or corporation who may be liable in damages on account of such claim to appear and be

heard in reference to the same, and to relieve said city from any liability therefor.

Upon receipt of a notice of claim for damages arising from any alleged defect in any street or sidewalk, the City Clerk shall furnish the Corporation Counsel with a copy thereof, and said Corporation Counsel shall immediately cause the City Engineer to make a map of the place where such claimed defect existed, unless, in the opinion of the Corporation Counsel, such map is unnecessary, and shall direct some officer or employe of the street department to investigate such claim, ascertain the facts and make a written report to the Corporation Counsel of said facts and the evidence relating thereto, giving the names and residences of witnesses. Said report shall be made within ten days after such officer or employe has been directed to make such investigation, and it shall be his duty to make such further investigation and report as the Corporation Counsel shall direct.

No claim for damages shall be allowed and paid by said city, unless the Corporation Counsel is clearly of the opinion that the city is legally liable to pay the amount so allowed.

SEC. 11. *Auditor's Classification Book.* The Auditor shall keep a book called the Classification Book, suitably ruled in columns, for the numbers of all claims presented against the city, the names of the several claimants, the designation of the departments or classes of claims to which they belong, and money columns for the amount allowed by the Committee on Claims on each claim.

SEC. 12. *Auditors to Classify Claims.* The Auditor shall number every claim, and enter in the Classification Book the number, the name of the claimant, the class or department to which it belongs, and set down in each department the amount of the claim which belongs to that department.

SEC. 13. *Auditor to Report Monthly.* The Auditor shall monthly lay before the Committee on Finance, an abstract of his Classification Book, showing the aggregate of bills presented against each department and paid by him, and the balance of the appropriation to each department unexpended.

SEC. 14. *When Bills Exceed Appropriation.* If the aggregate of bills coming to the hands of the Auditor duly approved during any month shall exceed the unexpended balance of the appropriation to which they belong, the Auditor shall report the facts to the Committee on Finance and the Court of Common Council at their regular sessions.

SEC. 15. *Finance Committee to Instruct Auditor.* In case the Committee on Finance shall find that there is not sufficient money in the hands of the Treasurer to pay all the bills duly allowed, they shall instruct the Auditor in what order the same shall be paid by order on the Treasurer, giving preference to the regular officers and employes of the City, and said Auditor shall obey their instructions.

SEC. 16. *Claims Filed.* All bills presented to the Committee on Claims shall be carefully filed and preserved by the City Clerk in his office.

SEC. 17. *Auditor to Keep Books.* The Auditor, on drawing any order, shall charge the amount of the same to the proper account or accounts, in books kept by him for that purpose.

SEC. 18. *Treasurer to Report.* The Treasurer shall report to the Committee on Finance on the first of each month the amount of money belonging to the City in his hands.

SEC. 19. *City Clerk to Keep Record.* It shall be the duty of the City Clerk to keep a record, in books provided specially for that purpose, of all accounts due said city from any and every source, excepting taxes, assessments, water rents and fines and penalties imposed by the Police and City Courts; and to obtain from the Mayor, Corporation Counsel, Street Commissioner, Chief of Police, and the chairman of the various committees, and all other officers of said city, all necessary information in relation to accounts due the city that may come to their knowledge; and it shall be the duty of the herein named officers on application to give the Clerk said necessary information.

SEC. 20. *Bills to be Collected.* It shall be the duty of the City Clerk, unless otherwise directed by the Common Council, to put all of said bills due the city in the hands of the Chief of Police for collection.

SEC. 21. *Duties of Auditor.* It shall be the duty of the Auditor to audit annually the accounts of every city officer, or other person who receives funds on account of said city, except the accounts of the Treasurer.

SEC. 22. *Sinking Fund Committee.* The Mayor, President *pro tempore* of the Common Council and Treasurer of said city, and their successors, shall *ex officio* be a committee to be known as the Sinking Fund Committee, whose duty it shall be to receive, manage and invest any funds that are now, or may hereafter be, appropriated to any sinking fund for the extinguishment of any indebtedness or liability of said city, and said committee shall report annually, to the Council, at its first meeting in April, the condition of all such sinking funds, and the investment thereof.

SEC. 23. *Sinking Fund Money.* The funds belonging to any sinking fund of said city shall not be used for any other purpose, except that for which said funds were particularly set apart and appropriated.

CHAPTER II.

AMUSEMENTS.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *Licenses Required.* Every person who shall, without obtaining a license from the Common Council, or the Committee appointed by said Council for that purpose, make or knowingly aid or assist in, making a public display of any sport, amusement, performance, concert, opera, or other public exhibi-

tion, within the limits of said city, shall forfeit and pay a penalty of not less than five nor more than one hundred dollars for each offence, and each separate exhibition shall be deemed a separate offence within the meaning of this ordinance.

SEC. 2. *Licenses to be Issued.* The Committee on Licenses of the Common Council shall have power, unless otherwise directed by said Council, to grant written licenses, to be issued as provided in Section 6 of this ordinance, to persons applying for the same, for public amusement, concert, opera, or other performance, as they the committee, shall consider proper to be licensed, and for such time as they shall deem fit, which license may, at any time, be revoked by the said committee or by the Common Council.

SEC. 3. *Payment of Fee.* Such person applying as aforesaid shall pay to the clerk of said committee for the use of said city, such license fee as the Council shall designate.

SEC. 4. *Unlicensed Exhibitions; Penalty.* No corporation or person, being the owner, proprietor, agent, or janitor of any public hall in said city, shall permit such hall to be used for the purpose of giving any concert, opera, play, or other public amusement or exhibition, without having first received from the proprietor or agent of such concert, opera, play, or other amusement as aforesaid, a license, in writing, from the Committee on Licenses, and any person who shall, by so doing, offend against this ordinance, shall forfeit and pay a penalty of twenty-five dollars for each offence.

SEC. 5. *What Deemed a Public Hall.* Every place in said city wherein any public amusement, concert, opera, play, or other public exhibition shall be held, shall be deemed a public hall, within the meaning of this ordinance.

SEC. 6. *Clerk of Committee; Duties.* The City Clerk shall be clerk of said committee on licenses, and under their direction shall issue all licenses granted by said committee, and shall pay over all moneys received therefor to the City Treasurer as often as once

a month, and shall keep a record of all licenses so issued, together with the date thereof, the name of the licensee to whom given, the amount of money received therefor, and the name or style of the exhibition licensed, which date, price and name of licensee and exhibition shall also appear on the face of the license; and it shall be the duty of the owner, proprietor, agent or janitor receiving any such license to return the same to the clerk of said committee as often as once in three months, to be by him examined and lodged on file, together with such record in the office of the City Clerk, but said clerk shall not be entitled to receive from the city any extra compensation for service rendered to said committee.

SEC. 7. *Destruction of Play Bills; Penalty.* No person shall destroy, remove, tear, or otherwise deface any bill, posted in such places as may be permitted, descriptive of any performance to be exhibited, duly licensed as aforesaid.

Every person violating any provision of this section, shall forfeit and pay a penalty of two dollars for every such offense.

SEC. 8. *Violations Reported.* All violations of this ordinance shall be forthwith reported to the Prosecuting Attorney for prosecution.

CHAPTER III.

ANIMALS.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *Cattle, etc., Not to Go at Large; Penalty.* No owner or person having the charge of cattle, horses, sheep, goats or swine shall suffer or permit the same to go or be at large in any of the streets or squares of said city, or shall suffer or permit the same to be upon any of the streets or public squares of said city for the purpose of being pastured there.

Any person offending against any of the provisions of Section 1 of this ordinance shall forfeit and pay a penalty of not less than five dollars nor more than twenty dollars for each offence.

CHAPTER IV.

CITY SURVEYOR.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *How and When Elected.* There shall be an officer of said city of New Britain to be called the City Surveyor, and within thirty days after the adoption of this ordinance the Common Council shall proceed to elect such officer who shall hold office until the first day of May, 1897, and until his successor has been duly elected and qualified. And annually hereafter in the month of April, and after the third Tuesday of said month the Common Council shall elect a City Surveyor, who shall hold office for one year from and after the first day of May following, and until his successor is elected and qualified.

Should a vacancy in said office occur, the Common Council shall proceed to fill the vacancy for the unexpired term, as soon as may be.

SEC. 2. *Custody of Maps, etc; Designation of Street Lines.* The City Surveyor shall have the custody of all the maps of said city, excepting only those pertaining exclusively to the Water and Sewer Departments; and shall see that all maps and other records in his charge are kept in a safe or vault; shall make and prepare all surveys, maps, profiles, estimates, and specifications required by the Mayor, Common Council, the Street Commissioner, Street Committee, and the Boards of Water, Sewer, Subway and Street Commissioners, as the needs of the several departments of the city may require.

And it shall also be his duty to designate the street line for any property owner, who contemplates building a fence on the line of any street which has been regularly laid out by the city.

SEC. 3. *Field Book.* The City Surveyor shall keep an accurate and complete field book, which shall contain the notes or data of

all grades, levels, measurements, surveys, etc., of all streets, sewers, or other public work in his department ordered by the Common Council or other proper authority during any one year. At the end of each year said field book shall be deposited with the City Clerk and shall be the property of the city.

SEC. 4. *Materials and Stationery.* All materials for maps, drawings, etc., all books and stationery required by the City Surveyor in the performance of the duties of his office, shall be furnished him at the expense of the city in accordance with the ordinance regulating supplies.

SEC. 5. *Annual Report.* The City Surveyor shall annually, on or before the 10th day of April in each year, make report to the Common Council, which report shall comprise a full statement of all street improvements, sewers or other public work with such details of each as may be necessary to properly exemplify the transactions of his department.

SEC. 6. *Salary.* The salary of the City Surveyor shall be two thousand dollars ($2.000.00) per annum, payable monthly, which shall include payment of assistant, office rent and light. Said salary shall be in full for all his expenses, and the services which he may render to said city.

SEC. 7. *Bond.* The City Surveyor shall, before he shall enter into his official duties, give bond with sufficient sureties in accordance with Section 4, Chapter XVIII of the city ordinance, in the sum of $5,000. And in case of refusal or neglect of said surveyor to give such bond, his office shall be deemed vacant.

CHAPTER V.

CONTRACTS.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *Contracts; Home Labor.* Whenever the Street Commissioner, or the Sewer or Water Commissioners, or any other officer of said city, having charge of any public improvements, shall judge it to be for the interest of the city, such Commissioner, Commissioners, or other officer in charge, may make contracts for labor and materials for such public improvements, and such contracts, when ratified by the Common Council, shall be valid and binding on said city, and all contracts for such labor and materials shall be in writing and executed in triplicate, of which one shall be kept by the Commissioner, Commissioners, or other officer aforesaid, one delivered to the City Clerk, and kept on file, and one retained by the contractor; and no such Commissioner, Commissioners, or other officer having charge of any public improvements, shall have any interest, direct or indirect, in any contract relating thereto; nor shall such contract be executed, unless good and satisfactory security for the faithful performance of the same shall be given by the contractor and approved by said Commissioner, Commissioners, or other officer in charge, and in making such contracts home labor shall be given the preference.

SEC. 2. *Advertising for Proposals.* The said Commissioner, Commissioners, other officer in charge as aforesaid, when not otherwise specially authorized by the Common Council, shall advertise in one or more newspapers in said city for sealed proposals for all such contracts, specifying the time and place, when and where the same shall be received; and such proposals, in order to be received and acted upon, shall set forth a specified sum or price to be paid for all such labor and materials, without condition, limitation, or alteration, and shall be accompanied with a bond

with satisfactory sureties, payable to the Mayor and his successors in office, conditioned for the faithful execution of the proposal, if the same shall be accepted in behalf of the city.

SEC. 3. *Assignment of Contract.* No such contract shall be assigned or transferred without the written assent of the Mayor, and the officer or officers having charge of the public improvement to which such contract relates.

CHAPTER VI.

ELECTION OR APPOINTMENT OF OFFICERS.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *When and How Chosen; Term of Office.* All officers chosen under the Charter by the Common Council, the times and methods of whose election or appointment are not specially provided for by that instrument, shall be so chosen by the Common Council annually during the month of April, and shall hold office for the term of one year from the first day of May next succeeding their election or appointment, and until their successors are chosen and qualified. The person receiving a majority of the votes for any office filled at the meeting at which any such election or appointment is made, shall be declared elected or appointed to the office for which he receives such votes. Each and every officer so chosen as aforesaid shall be an elector of said city.

SEC. 2. *Vacancies.* In case of a vacancy occurring in any of such offices the same shall be filled for the unexpired term in the manner above provided at any meeting of the Common Council subsequent to the occurrence of such vacancy.

CHAPTER VII.

ERECTION OF BUILDINGS.

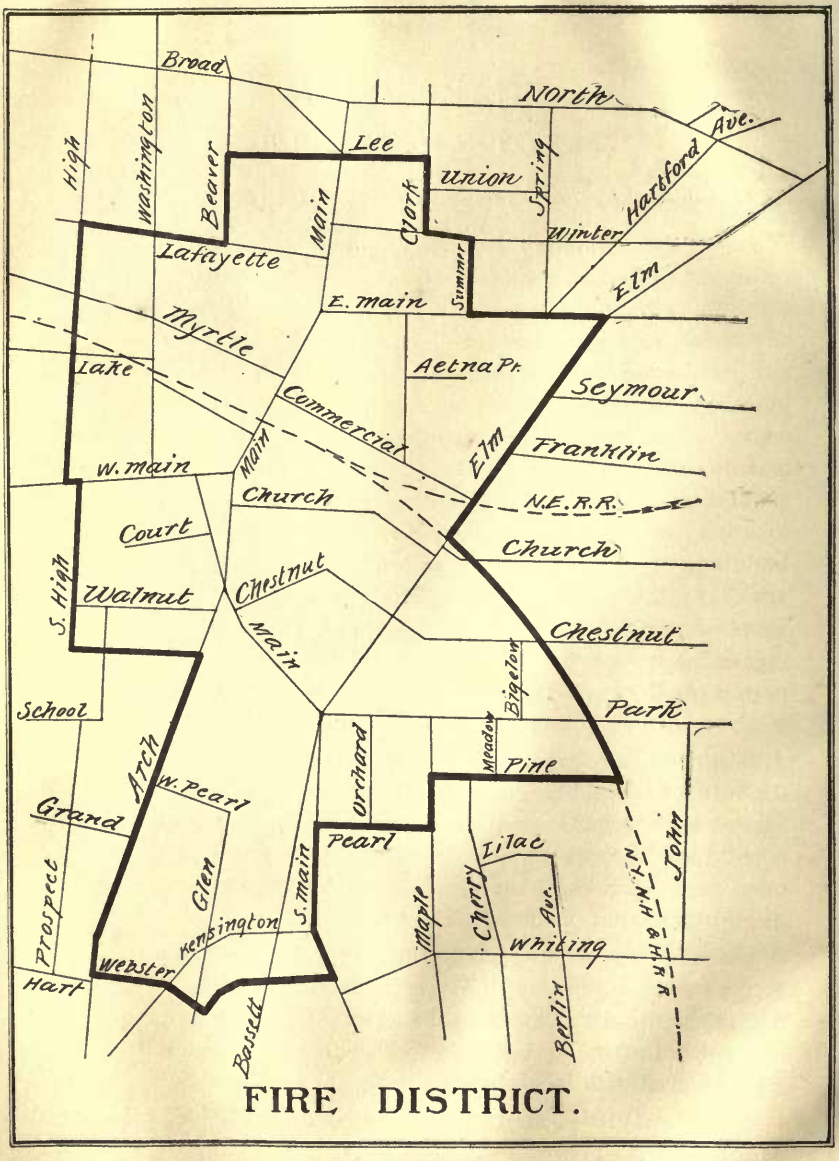
Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *Building Permits Required.* No persons or corporations shall hereafter erect, add to, move from place to place, or station any building in said city, deposit any building material in any street, or assist in either of said acts without a license or permit first issued therefor to the owner or person in charge of said building, to be obtained in the following manner, viz: The owner, proprietor or agent, proposing to do any such acts, shall make written application, subscribed by him, to the city clerk for such license or permit, and with such application shall state the location, height, material, purpose of and contiguity to the other buildings of the building for which such permit is required; the applicant shall also state the height and thickness of the outer stone and brick walls and the material of which the roof or covering is made and the estimated time from which such license or permit shall be granted, said application shall be referred by the clerk to the committee on building and encroachments.

Said committee may, at any time, grant said permits, or, if they deem it for the public good, or if any person objects to the granting of said permits, shall retain any application until it can be acted upon by the Common Council, and a record of all such permits, giving the particulars above stated, shall be kept in a book provided for that purpose.

SEC. 2. *Restrictions; Fire District; Electric Wiring.* No person, persons, or corporations shall erect, or add to any building within the fire district, unless the outer walls of the same be wholly constructed of stone, brick, or other fire-proof material, and the roof covered with incombustible material.

Said Fire District shall include the portion of the City described as follows:



FIRE DISTRICT.

All within three hundred (300) feet outside a line from center of street, commencing at the corner of Clark and Lee streets, to Winter, Winter to Summer, Summer to East Main, East Main to Elm, Elm to the tracks of the New York, New Haven & Hartford Railroad, along tracks to a point on Pine Street extension, through Pine to Maple, Maple to Pearl, Pearl to South Main along the East side of the Park, South Main to Kensington, and within three hundred (300) feet along Kensington to Webster, Webster to Arch, through the center of Arch and within three hundred (300) feet of Walnut to South High, South High to West Main across West Main to center of High street, High to Lafayette to Beaver, Beaver to a point on Beaver opposite the center of Lee street, thence through the center of Lee street to place of beginning.

No person, persons or corporations shall cause electric wires to be placed in any building in the city, without securing a permit from the superintendent of the electrical department, who shall inspect said building and issue his certificate that the said wires are safely installed.

SEC. 3. *Materials and Construction of Walls.* All buildings hereafter erected within said Fire District, shall have all walls, whether the same shall be outside of the party walls, constructed of stone, brick or iron, properly bonded and solidly put together, and all such walls shall be built to a line and carried up plumb and straight, and the several component parts of such building shall be built and constructed as hereafter provided.

SEC. 4. *Outside, Party Walls, etc.* The outside and party walls of all buildings hereafter erected or built, shall not be less than eight (8) inches thick, and all such walls as exceed fifteen feet in height (except party walls and the walls of two-story dwellings) shall not be less than twelve (12) inches thick, and all such walls as exceed forty feet in height (except party walls,) shall not be less than sixteen (16) inches thick to the under side of the second tier of beams, provided the under side of the said second tier of beams be not less than twenty (20) feet from the level of the side-

walk, such walls, except party walls, shall be sixteen (16) inches thick to the under side of the third tier of beams above the said level; and every such wall shall be built with headers every sixth course, except that the walls of dwellings over two stories high, shall not be less than twelve (12) inches thick (except party walls to the beams of the upper story.) In all buildings hereafter erected in said Fire District, situated on the street corner, other than dwellings, bearing walls thereof (that is the wall on the street upon which the beam rests) shall be four (4) inches thicker in all cases than is otherwise provided for by this ordinance.

All buildings hereafter erected within said Fire District which are intended for offices, tenements or small stores, shall be so constructed that they shall be fire proof, partition walls not to be more than twenty-five feet apart, shall be built from cellar to roof, the same as other party walls, except as hereinafter provided, all air, light, or elevator shafts to be inclosed by walls of fire proof material, all openings in such partition walls, from store to store or tenement, shall have fire proof doors, which shall be closed every night or at all times when such places are unoccupied. When buildings are built for two or more stores in which large halls are to be made, the floor above the stores is to be of fire proof construction, joists to be of iron, spans between filled in with brick, hollow brick or terra cotta, and the partitions above to be carried on iron beams. All party walls of any buildings over fifteen (15) feet high shall be built up and extended not less than eight (8) inches above the roof and shall be coped with fire proof material. All outside walls and chimneys of buildings hereafter erected, shall not be less than twenty-two (22) courses of brick to each five (5) feet in height of the same.

The foundation walls to any permanent building in said Fire District, shall not be less than four (4) feet below the surface exposed to frost, resting upon solid ground, piles, concrete or other solid substance and shall be of good ledge-stone or other material, equally as good as stone, laid in cement mortar. Foundation

walls shall be not less than eighteen (18) inches thick for two story buildings and twelve (12) inch upper walls, foundation walls to increase in thickness four (4) inches per story or for each additional four inches of wall that it carries.

SEC. 5. *Faced Walls; Mortar; Backings.* All walls which are faced with ashlar are to be anchored to the backing and must have alternate headers and stretchers in each course, or alternate heading and stretching course, the backing of brick to be not less than eight (8) inches thick, and all eight inch backing shall be laid up in cement or lime mortar, and shall not be built to a greater height than prescribed for twelve inch brick walls. The mortar used for all foundations, for all buildings, erected within the fire district, shall be composed of not less than one part of cement to two and one half parts of good sharp sand (Plainville preferred). All heading courses shall be of good hard, perfect brick.

The backings in all walls, of whatever material they may be composed, shall be of such thickness as to make the walls independent of facing, conform as to thickness with the requirements of the ordinance.

SEC. 6. *Building Walls United.* The front, rear, side, partition and party walls of any building, hereafter to be erected, shall be carried up together, and well united and bonded at the point of contact. All stone used for facing of any building, except where built with alternate headers and stretchers as hereinbefore set forth, shall be strongly anchored with iron anchors in each stone of more than twelve (12) inches in height when said stone is not equal in width of the base with height thereof, and all such anchors shall be let into the stone at least one inch. The front, rear, side and party walls shall be anchored at each tier of beams at intervals of not more than six (6) feet apart, with good strong wrought iron anchors of not less than one-quarter of an inch by one and one-half inch iron, well built into the side walls, and fastened to the side of the beams by three nails made of wrought iron, at least one-quarter of an inch in diameter.

SEC. 7. *Chimneys, etc.* All chimneys and all flues in any building hereafter erected, altered or repaired, without reference to the purpose for which they may be used, shall have the joints struck smooth on the inside, and no pargeting mortar shall be used on the inside; and all tiling which shall be used for chimneys shall be enclosed with brick. All flues that are to be connected with furnaces, are to have fire clay tile linings commencing two (2) feet below the first floor, and continuing the full height of the chimney.

No chimney shall be started, or built on any floor or beam, and in no case where the breast of the chimney shall project more than four (4) inches shall it be commenced in any wall, but shall be started from the foundation. All hearths shall be supported by arches of stone or brick, no chimney in buildings already erected, or hereafter to be built, shall be cut off below, or in part and supported by wood, but shall be wholly supported by stone, brick, or iron.

SEC. 8. *Wood-work Separated from Chimneys, etc.* In no building hereafter erected, whether the same be frame, or otherwise, shall any timber, studding, furring or other wood be fastened to the same or within two inches of the outside of any chimney or other conveyance of fire, smoke, or heat. All wooden beams and other timbers in the party wall of every building hereafter to be erected or built of stone, brick, or iron, shall be separated from the beam or timber entering in the opposite side of the wall, by at least four inches of solid mason work.

SEC. 9. *Roofs Built and Covered* The planking and sheathing of the roof of every building hereafter erected and built, shall in no case be extended across the party wall thereof, and every such roof or any such building shall be covered with slate, tin, zinc, copper, or iron, or other equally fire proof material.

SEC. 10. *Raising of Buildings.* If any brick front or wooden building already erected within said fire district shall require new roofing, it shall and may be lawful for the owner or owners thereof, to raise the same, for the purpose of making a flat roof thereon,

provided that such new roof shall be covered with slate, tin, iron, copper, zinc, or other fire proof materials, and provided also that such building, when so raised, shall not at the highest point thereof exceed the height of the peak of said building before the alteration, provided that such alteration shall only be done under the direction and permit of the Committee on Buildings and Encroachments, and Inspector of Buildings, after approval of the Common Council of said City.

SEC. 11. *Smoke Pipes; Wooden Buildings.* No smoke pipe in any building with wooden or combustible floors or ceilings shall afterwards enter any flue, unless the said pipe shall be at least twelve inches from either floor or ceilings, and in all cases where smoke pipes pass through stud or wooden partitions of any kind, whether the same be plastered or not, they shall be guarded by either double collar of galvanized or cast iron, painted on both sides, with at least one inch space, or holes for ventilation, or by a single galvanized or cast iron collar, painted on both sides, surrounded by a brick collar, of not less than eight inches in thickness between the collars, their whole length, or by a soapstone, terra cotta ring or tile, not less than two inches in thickness and extending through the partition, or by a solid coating of plaster of paris three inches from the pipe.

No wooden or frame building within said fire district which may hereafter be damaged by fire or otherwise, shall be repaired or rebuilt, nor shall any building be moved, or repaired, or added to upon the exterior with wooden material unless permission so to do be granted by two-thirds vote of the Common Council of said City, after application to move, repair or rebuild, has been made to the Committee on Building and Encroachments of said Common Council. All applications must be signed by the Building Inspector.

SEC. 12. *To Obtain Building Permits.* Before the erection, construction or alteration of any building or part thereof, or shed, extension or piazza, either within or without the fire district, or of

any block, dwelling, factory, store, store house or building of any description which are to be used for human occupation (in which fire will be used or that will have, or be connected with, a plumbing or drainage system) is commenced, the owner, architect, or builder shall submit to the Inspector of Buildings a clear statement in writing of the plans and specifications for the erection or alteration thereof, together with the size and location of the land upon which the structure referred to by said specifications is to be erected or altered, and the distance of such proposed erection, alteration or construction from the street line (a record of which shall be kept by said Inspector of Buildings) and the erection, construction or alteration of said building or part thereof, shed, extension or piazza, shall not be commenced or proceeded with until the said owner, architect or builder shall receive a certificate or permit from the Committee on Buildings and Encroachments, after examination by the Inspector of Buildings into such plans and specifications, and they are satisfied that the requirements of the building ordinances are to be complied with.

Within the fire district all permits shall be approved by the Common Council of said City.

SEC. 13. *Duties of Building Inspector.* It shall be the duty of the Inspector of Buildings, in addition to the duties otherwise provided for by the ordinances of said city to examine the condition of all buildings being erected or undergoing alterations, and notify the owners of said building of any violation of any part of this ordinance, and also report the same to said Committee on Buildings and Encroachments, or to the Common Council of said City, either of whom shall cause the notice to be served of such violation, on the person, persons or corporation to whom was granted the permit for the erection or alteration of such building, or structure, or upon said person, or persons, found so violating this ordinance. Said notice shall specify said violation and order its remedy, and the manner thereof, and the time within which the order and remedy shall be complied with, and a copy of such

order shall be left with the owner of the land or premises, or their acting agents, respecting which such order is made, or at his or their usual place of abode or business, and the same shall be considered sufficient notice under the provisions of this ordinance.

SEC. 14. *Changes in Plans, etc.; Penalty.* Every person who shall violate any of the provisions of this ordinance by omitting to report in writing to said Committee on Buildings and Encroachments, or to said Inspector of Buildings, any change of plans or specifications from that upon which said permit was granted, within thirty days after said change is in said plans and specifications effected, shall forfeit and pay to the city the sum of fifty dollars; any one who shall continue to violate any of said provisions by non-compliance therewith, or with the notice and order of said Common Council, or said Committee on Buildings and Encroachments, shall forfeit and pay to the city the sum of fifty dollars for each and every month or fractional part of any month of said violation, on non-compliance with said notice and order.

SEC. 15. *Ordinance Not Retroactive.* The provisions of this ordinance shall not apply to buildings in course of construction or alteration for which a permit has been granted at the time it becomes a law.

SEC. 16. *Fees for Permits.* There shall be a fee of $1 charged for each permit for buildings not to exceed in cost $1,000; a fee of $2 for each permit for buildings not to exceed in cost $2,000; a fee of $3 for each permit for buildings not to exceed in cost $3,000; a fee of $4 for each permit for buildings not to exceed in cost $4,000, and a fee of $5 for each permit for buildings to cost over $4,000, said cost of buildings to be determined by the Inspector of Buildings and Committee on Buildings and Encroachments. Said fees must be paid by the applicant to the city clerk at the time of said application and the money is to be returned if the permit is not granted. All moneys received as fees, as aforesaid, for permits, to be accounted for and paid into the city treasury once in every month.

SEC. 17. *Removal of Buildings; Jurisdiction of Inspector.* It shall, however, be lawful, for any person, persons, or corporations to move buildings within the fire district from the front of their property to the rear of the same lot when a permit has been issued to said person, persons, or corporations to erect on the front of said lot, a building or buildings, in accordance with this ordinance, provided, however, that the location of the building or buildings moved shall not be near other wooden buildings ; the Committee on Buildings and Encroachments shall investigate in such cases to see whether in their opinion such removal or removals will increase the fire risk, and shall report to the Common Council, which shall act on it, the same as on other reports of the same committee.

All buildings erected in this city, whether in the fire district or not, which shall be constructed one story or more in height, or, as provided in Section 12th, shall be under the supervision of the Building Inspector. The same fees shall be paid on permits granted under this section as for buildings erected within the fire district.

SEC. 18. *Stay of Progress, etc.; Fire Escapes; Protection of Woodwork, etc.; Penalty.* Whenever said Inspector shall find in any building in course of construction, a non-compliance with any of the preceding sections, he may order a stay of progress in the construction until he can report the same, and orders may be issued by the Common Council, or the Committee on Buildings and Encroachments for the correction of such defects, and any person who shall violate any such order for stay of progress, shall forfeit and pay a penalty of fifty (50) dollars. The Inspector shall see that the State law as regards fire escapes and outside doors, swinging outwardly is complied with, and if not, to report the same to the proper authorities for enforcement. No ceilings, walls, partitions, beams, timber or wood of any kind, is to be within four (4) feet of any boiler, hot air, hot water, or steam furnace, unless the same shall have a fire proof protection of brick, metal or asbestos, and all pipes used for conveying heat, where

within an inch of wood must have an outer collar with an air space between, or the wood protected by asbestos or metal of some description.

SEC. 19. *Enforcement of Orders of Council.* Whenever the Inspector of Buildings presents a complaint for violation of the ordinances of the city, or of the statute laws of this State regarding the construction of Buildings, to the Common Council, or to the Committee on Buildings and Encroachments, said Common Council may issue such orders as it or they may deem necessary for the remedy of the defects complained of. In case such order is not complied with within the time specified therein, said Common Council, or said Committee, shall cause the matter or thing thereby required to be performed, to be done at the expense of the owner, or owners, of the premises respecting which the order is made, and such expense shall be collected from said owner, or owners, by an action of debt, brought in the name of the city.

SEC. 20. *Inspector to Keep Record.* The Inspector of Buildings shall keep a record book in which he shall enter at length all inspections made by him, and all complaints made by him, and to him, and shall make a general report to the Common Council when required.

SEC. 21. *Resisting Inspector; Penalty* Any person who shall hinder, obstruct, resist or abuse said Inspector of Buildings or Superintendent of Electrical Department in the discharge of the duties imposed upon them by this ordinance, shall pay a penalty of not less than ten ($10) nor more than fifty ($50) dollars.

SEC. 22. *Fire Marshal; Penalty.* The Building Inspector shall also act as a Fire Marshal. It shall be his duty to inspect at least once a month the cellars and yards of all stores and tenement blocks in the fire district and if any combustible material is found, to notify the owner or occupant to remove the same at once.

Failure to comply with such notification shall be deemed a misdemeanor and shall be subject to a fine of not less than five (5) dollars for each and every day after said notification.

The Fire Marshal shall make an investigation of all fires that may occur in the city and shall report the cause of the same to the Fire Commissioners.

SEC. 23. *Permits Good for One Year.* Permits to build or repair buildings shall be good for one year only after date of said permit, it being understood that permits can be renewed without further cost to the applicant if found necessary and if the conditions are the same as at the time the permit was granted.

CHAPTER VIII.

FIRE.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *Fire Department Companies and Officers.* The Fire Department of said city shall consist of a Chief Engineer and one Assistant Engineer, four hose companies with a foreman, one assistant foreman and six hosemen each, one hook and ladder company with a foreman, one assistant foreman and ten laddermen, and seven permanent drivers. There shall be three steam fire engines with an engineer and stoker for each engine, said engines to be located at Engine Houses Nos. 1, 2 and 3 respectively. There shall be appointed two substitutes for each hose company and the hook and ladder company who shall be required to answer all fire alarms and shall be compensated as provided in Section 8 of this Chapter.

SEC. 2. *Duties and Powers of Chief Engineer.* The Chief Engineer under the supervision of the Fire Commissioners shall have the superintendence, care and direction of fire engines, hose carts, hook and ladder trucks, hose, and all other apparatus belonging to said city; he shall see that the same, with houses in which they

are stored, and the fire hydrants belonging to the city, are kept in good order and repair and ready for immediate use; he shall have sole command at fires over the Assistant Engineer and all other members of the Fire Department, and all other persons present at fires, and shall direct all proper measures for the extinguishment of fires, protection of property, preservation of order, and the observance of all laws, ordinances and regulations respecting fires, and whenever at any time it shall be deemed necessary by the Chief Engineer to pull down or demolish any building. in order to prevent the spreading of fire, he shall order the same to be done. He shall also keep an account of all fires occurring in said city and shall report, annually, to the Fire Commissioners at their first meeting in April, all fires that have occurred during the previous year, and the cause, or supposed cause, of such fires, and the estimate damage in each; and such report shall be accompanied with a full inventory of all the property belonging to said department, and with such recommendations as he shall deem important, and he shall perform such other duties connected with said department as the Fire Commissioners may from time to time require.

SEC. 3. *Assistant Engineer.* It shall be the duty of the Assistant Engineer to assist the Chief Engineer in the discharge of his duties, to receive and communicate his orders at a fire and see that they are executed, and in the absence of the Chief Engineer, his duties and powers in case of fire shall devolve upon the Assistant Engineer, with the assistance of any foreman that he may call upon.

SEC. 4. *Authority at Fires* The Chief Engineer and Assistant Engineer shall severally have all power and authority necessary to preserve order and enforce their commands at a fire, and may use such force and command and require the aid and assistance of such person or persons as may be necessary for that purpose.

SEC. 5. *Inspection of Factories.* It shall be the duty of the Chief Engineer and Assistant Engineer to visit the different manufacturing establishments located in said city, and blocks within the

fire limits of said city used in whole or in part as dwellings, as often as twice a year and ascertain the location of all gates, hydrants, water pipes, hose and connections on said premises, and make record thereof if deemed necessary; to acquaint themselves with all means in use by said manufacturing establishments or blocks for the prevention or extinguishment of fires, and to make such suggestions to the proprietors as they may deem necessary, to more effectually provide means of access to, or escape from any building in case of fire, so as to prevent loss of life and more effectually protect the property therein.

SEC. 6. *Duties of Foremen.* Foremen of companies shall see that the apparatus committed to their care, the buildings in which the same are housed, and all articles in or belonging to the same are kept neat and clean; shall preserve order and discipline at all times in their respective companies, and enforce strict compliance with the regulations of the department as made by the Board of Fire Commissioners.

SEC. 7. *Duties of Clerk; Penalty.* The clerk of each company shall keep in a book, to be provided by the Fire Commissioners, a true and exact roll of the officers and members of such company, specifying the name, age, occupation, residence, and date of the enlistment and discharge of each member; shall keep a faithful record of the delinquencies and fines of members, and furnish copies of the same to the Fire Commissioners on the first day of each month; and all company books and papers in possession of any clerk, shall be deemed the property of the city, and shall be by him surrendered to the Chief Engineer, when so ordered by the Fire Commissioners; and any clerk refusing to deliver said books and papers, when so ordered, shall forfeit and pay a penalty of twenty dollars.

SEC. 8. *Compensation of Firemen.* There shall be paid to the several members of the fire department who shall faithfully perform their respective duties, the following compensation, to wit: To the chief engineer at the rate of four hundred and fifty dollars per an-

num ; to the assistant engineer at the rate of three hundred and fifty dollars per annum ; to the engineer of each steam fire engine at the rate of three hundred dollars per annum ; to the stoker of the same at the rate two of hundred and twenty dollars per annum; to the foreman of each company at the rate of two hundred and fifty dollars per annum ; to each assistant foreman at the rate of two hundred and twenty-five dollars per annum ; to every member of a company at the rate of two hundred dollars per annum ; to every permanent driver at the rate of eight hundred dollars per annum ; to each substitute for each hose and hook and ladder company the sum of fifty cents for each and every alarm of fire responded to and the regular pay of a member of a company while acting as a substitute for a regular man temporarily ; fines shall be imposed on the substitute only while acting temporarily for a regular man. But no person shall be entitled to any portion of the compensation hereby provided until the time appointed for the payment of the same in the ninth section of this ordinance, and if at the time such compensation becomes payable any member of said department shall have incurred any penalty, fine or forfeiture for the violation of any provision of this ordinance and shall not have paid the same, he shall be entitled to receive only so much of said compensation as shall remain after deducting the amount of such penalty, fine or forfeiture.

SEC. 9. *Payment of Fire Department.* Payment of the compensation of the members of the fire department shall be made in quarterly installments, payable on the last day of March, June, September and December, and to facilitate the same, it shall be the duty of the clerk of the Board of Fire Commissioners on or before the third day of January, April, July and October in each year to make out a pay roll on which shall be entered the names of the chief engineer, assistant engineer, engineers and stokers of the steam fire engines, and all officers, members and substitutes of each company in said department, the number of months' service and the amount due each, after deducting all penalties, fines or forfeitures, if any, unpaid on said dates.

SEC. 10. *Pay Roll.* The clerk of fire commissioners shall prepare quarterly a correct pay roll of the Fire Department, which shall be approved by a majority of said board by writing their names across the same, and they shall then deliver it to the City Auditor, who shall draw his order on the treasurer in favor of each individual account on the pay roll, and deliver the same to the City Clerk, who shall pay the members of the department taking a receipt for the same from each member.

SEC. 11. *Taking Fire Apparatus Beyond City Limits.* No apparatus owned or controlled by the city shall be taken beyond the city limits, except for assistance in case of fire, and then only by permission of the Chief Engineer, or in his absence, the Assistant Engineer. Any officer or member of a company, who shall fail to be present at any fire without an excuse, satisfactory to the Fire Commissioners, shall forfeit and pay a fine of two dollars for the first offence, three dollars for the second offence and four dollars for the third offence, in any one quarter, and the Chief Engineer may immediately suspend the member without pay until the Fire Commissioners take action in the matter. Upon the third offence any member shall be dismissed from the department, should he fail to show good cause for his neglect of duty. Any officer or member of a company wilfully neglecting or refusing to perform any of the duties prescribed in this ordinance shall be liable to dismissal from the Fire Department.

SEC. 12. *False Alarm; Penalty.* Any person who shall knowingly give a false alarm of fire in said city, or shall knowingly proclaim that any fire is extinguished when it is not, shall be guilty of misdemeanor and be fined not less than seven nor more than thirty dollars.

SEC. 13. *Honorary Membership.* Every person who shall have served according to the law, in the Fire Department, for six successive years, shall be entitled to receive a certificate, signed by the Mayor and City Clerk, and any member receiving such certifi-

cate shall be considered an honorary member of the department, and entitled to wear such badge as may be designated by the Common Council.

SEC. 14. *Fire Implements; Penalty.* Any person or persons who shall take or remove any of the ladders or other implements for extinguishing fires, belonging to said city, from the places where deposited, except in case of fire, or shall use any such ladder or other implement, or cause the same to be used when so taken, shall forfeit and pay a penalty of not less than five nor more than twenty dollars for each offence.

SEC. 15. *Dismissal.* The Chief Engineer, or in his absence the Assistant Engineer, with the approbation of the Fire Commissioners may, and for the second offence shall, dismiss from said Department any officer or member of any company for neglect of duty, drunkenness, disorderly conduct, disobedience of orders, or wilful violation of any of the provisions of this ordinance, and such dismissed member shall not be entitled to compensation for his services.

SEC. 16. *Annual Inspection.* There shall be, annually, in the month of September an inspection of the Fire Department, at such time and place as the Fire Commissioners may direct.

SEC. 17. *Lights, Matches, etc.; Penalty.* No person shall carry into or use in any barn, stable or other building in said city, in which hay, straw, stalks, husks, or other combustible material is deposited or kept, any lighted candle, lamp, or fire, unless the same shall be well secured in a lantern, nor carry into or use in such building any lighted pipe or cigar, nor throw down or drop therein any matches unused or with any fire on them, nor keep therein any matches except in a fire-proof box or match safe, nor throw or drop therein any fire crackers, or fire works of any kind. And every person who shall violate any of the foregoing provisions of this section shall forfeit and pay a penalty of not less than five nor more than fifty dollars for each offence.

SEC. 18. *Fire Works and Bonfires; Penalty.* Every person who shall use or explode any fire crackers or fireworks of any kind, or make, assist in making or kindling, any bonfire in any street or public park of said city, without the written consent of the Chief of Police countersigned by the Mayor, shall forfeit and pay a penalty of five dollars for each offence.

SEC. 19. *Discharging Fire Arms; Record of Permits; Penalty.* No person shall discharge any gun, pistol, cannon, or other firearms of any sort or description within the limits of said city unless by written permission of the Chief of Police, or by order of some military officer on occasion of military exercises and parade, and such permit of said Chief of Police shall state the date, length of time of such permit, and the name of the person, club, or organization to whom such permission is granted, and a record thereof shall be kept by the Chief of Police in a book provided for the purpose, and whoever shall discharge any pistol, gun, or cannon, or other firearms, without permission as aforesaid, shall be guilty of a misdemeanor and be fined five dollars for each offence.

SEC. 20. *Discharging Fire Works; Penalty.* Any person who shall discharge any fireworks except upon the fourth day of July, so as to annoy and cause serious discomfort to any inhabitant of said city, shall forfeit and pay for each offence a penalty of five dollars.

SEC. 21. *Liability of Parents and Guardians.* If any minor or apprentice shall be guilty of a breach of any of the provisions of this ordinance, punishable by forfeiture, the parent, guardian, or master of such minor or apprentice, shall be liable to pay the forfeiture incurred thereby, and may be sued therefore in a proper action brought in the name of said city upon this ordinance.

SEC. 22. *Hitching to Fire Alarm Poles, etc.; Posting Bills; Penalty.* No person shall post or in any manner affix any placards, bills, or notice, either written or printed, upon any of the Fire Alarm Telegraph poles or boxes in said city nor hitch nor fasten any horse or other animal to any of the Fire Alarm Telegraph poles

in said city, nor wilfully injure, deface, nor in any manner interfere with any of the Fire Alarm Telegraph poles, boxes, wires, or any of the apparatus connected with the Fire Alarm Telegragh; any person offending against any of the provisions of this section of this ordinance, shall forfeit and pay for each offence a penalty of not less than five nor more than twenty-five dollars.

SEC. 23. *Delivery of Goods.* No goods shall be delivered to the Fire Department except upon a written order signed by one or more members of the board of Fire Commissioners.

SEC. 24. *Bills, How Presented.* Bills must accompany all goods when delivered, said bills to be approved by the person who receives the same by writing his approval and certificate across the face of the bill with his signature and the date of same. When goods are purchased by weight it shall be the duty of the receiver to weigh the same on scales. All bills must be transmitted to the chairman or clerk of the board within twenty-four hours after the goods are received.

SEC. 25. *Bills, How Approved.* All bills before being paid must be approved by a majority of the commissioners, said approval being made by said commissioners writing their names across the face of the bill. After such approval the bill must be placed upon the record book of the board, giving the names of the commissioners who approved the bill, the party ordering the goods, and to whom delivered.

SEC. 26. *Book Accounts.* The board shall keep a set of books, entering thereon the debits and credits of each individual or corporation with whom it has dealings, showing each and every transaction.

SEC. 27. *Official Acts, How Approved.* All official acts of the board, or any member of the same, must be approved by a majority of the commissioners and spread upon their records. Any member or members of the board who may transact business shall report said transactions in full at the next regular meeting of the board, and such report or reports must be spread upon the records of said meeting.

SEC. 28. *Purchase of Supplies.* All supplies must be purchased to the best advantage of the city, even in car load lots when it is deemed best; all orders for car load lots to give price and quality and to bear the signature of a majority of the board.

SEC. 29. *Bids to be Advertised For.* Bids for furnishing the supplies, doing the repair work, shoeing the horses, laundry work and care of rooms in various houses must be advertised whenever it may be deemed best to do so by a majority of the board. In awarding the contract for furnishing the supplies and doing the work preference shall be given when practicable to the lowest responsible bidder.

SEC. 30. *Salary of Chairman.* The salary of the chairman of the board shall be $200 per year on and after April 11, 1900.

SEC. 31. *To Examine Accounts.* The finance committee of the Common Council, in conjunction with the board of Fire Commissioners, shall in February of each year, examine the accounts of the board, to formulate an estimate of the expenses for the succeeding year, and shall report said estimate to the Common Council.

SEC. 32. *Inventory of Fire Department.* The board of Fire Commissioners, in conjunction with the Chief Engineer of the department, shall make a careful inventory each March of the property belonging to the city, in their charge, which inventory shall be a part of the annual report. Said inventory shall be made by companies, and spread upon the records of the board. Additions made to the department must also be noted on the said inventory account.

SEC. 33. *Purchases to be Reported.* The board of Fire Commissioners shall report all purchases of apparatus or horses or transactions involving an outlay of $250.00 or more to the Mayor and Common Council, said purchase to be reported at the next regular meeting of the Common Council.

SEC. 34. *Bond of Chairman.* The chairman of the board of Fire Commissioners shall furnish bonds to the city in the sum of $2,500.00, conditioned for the faithful performance of his duty; said bond to be renewed each year upon his election as such chairman.

CHAPTER IX.

SUPERINTENDENT OF ELECTRICAL DEPARTMENT.

SECTION 1. *Superintendent of Electrical Departments.* The Superintendent of the Electrical Department shall immediately upon the passage of this ordinance, be elected by the members of the board of Fire Commissioners and the board of Police Commissioners, to hold office during good behavior and efficiency, the said commissioners to hold a joint session for the purpose of electing said Superintendent of the Electrical Department.

Charges may be made in writing against said superintendent, to the members of the above boards, and if upon investigation, there is, in their opinion, sufficient cause for his removal, they are hereby empowered to make such removal and also to elect his successor.

SEC. 2. *Duties of Superintendent.* It shall be his duty to inspect as often as may be necessary, and keep in repair all electrical apparatus and wires, or other conduits, for carrying electric currents within the city of New Britain and to report forthwith to the party owning or operating such wires or conduits, any and all structural or other defects which he may discover in the placing, locating or operating of the same, and which in his judgment are, or may become dangerous to persons or property and to suggest such remedy for such defects as he may think best suited to meet the circumstances of each case.

It shall be his duty to inspect all buildings in the city, hereafter wired or rewired for electric lighting, or use of electric power, and keep a record of the same.

SEC. 3. *Removal of Wires.* He shall also cause to be removed all wires not in service and such as are commonly known as dead wires, and shall report to the Common Council for action all cases in which the party owning or controlling the same shall neglect or refuse to remove them after due notice from the inspector, in writing, so to do.

He shall require the parties owning or operating any such dangerous or defective wires immediately to remedy the difficulty in accordance with his suggestions, or to his satisfaction.

Should any party refuse or neglect to comply within a reasonable time with such requirements of the Superintendent of the Electrical Department, he shall report the fact to the Common Council at its meeting and request action thereon, and shall submit with such report a draft of such order as in his judgment shall be required in the premises and shall recommend the passage of the same; and the Common Council at the same or next subsequent meeting shall act upon such order pursuant to the provisions of the general statutes of the State relating to the direction and control of electrical construction by municipal bodies.

SEC. 4. *May Be Officer of Fire Department.* Such Superintendent of the Electrical Department may continue to be an officer of the Fire Department, and subject to the rules, laws and regulations made for him by the board of Fire Commissioners.

SEC. 5. *Salary.* The superintendent herein provided for shall receive an annual compensation of nine hundred and fifty dollars.

SEC. 6. No electrical contractor, or other person or persons shall wire or rewire any building in this city (factories excepted) for electric lights or power, without first obtaining a permit from the Superintendent of Electrical Department of the city, and in no case shall work be started until such permit has been made in writing to the Superintendent of Electrical Department, and in no

case shall wires be concealed before being inspected by said superintendent, who shall be notified in writing that such work is ready for his inspection.

Any person violating any of the provisions of this section shall forfeit and pay a penalty of not less than five ($5.00) dollars and not more than twenty-five ($25.00) dollars.

SEC. 7. In case the Superintendent of Electrical Department becomes aware of any line construction, etc., being done without proper permit from the Common Council, he shall immediately order the parties who are doing the work to stop any further work being done until such permit has been obtained and such work shall therefore be suspended until a permit therefor shall be obtained.

SEC. 8. No wire or wires shall cross a public highway less than twenty-one (21) feet in height, no guy wires shall be placed on public streets (parallel with streets) less than ten (10) feet above the ground at the lowest point.

CHAPTER X.

HEALTH.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *Appointment of Health Committee.* The Common Council shall annually appoint a committee, who may or may not be members thereof, to be denominated the Health Committee. The chairman of the Heaith Committee shall be the executive officer of the committee. All complaints relative to the Health Department shall be made to the City Health Officer.

SEC. 2. *Appointment of Sanitary Inspector.* The Common Council shall appoint a Sanitary Inspector, who shall act as an assistant to the Health Officer and Health Committee, and render such services as are desired by said Health Officer and Health

Committee, so far as in his power lies, the pay for which shall be fixed by the Common Council, said appointment to be made during the month of April each year, and the person so appointed to hold office from and after the first day in May following his appointment and until his successor is duly appointed and qualified. The person so appointed Sanitary Inspector shall also be Building Inspector, and perform the services incident to said office, the pay fixed by the Common Council to include his services in both capacities.

SEC. 3. *Qualifications of Sanitary Inspector.* No person shall be appointed as Sanitary Inspector unless he shall have had actual experience either as an architect, builder or plumber.

SEC. 4. *Duties of Health Committee.* The Health Committee shall hold meetings as often as is necessary. A meeting may be called at any time by sending proper notices to the members of the committee. Meetings of the Health Committee may be called by the clerk of the committee at any time, either by request of the chairman, or of any three members of the committee. Three members shall constitute a quorum, and regular business of the committee shall only be transacted when a quorum is present. Minutes of said meetings shall be kept by the City Clerk, who shall be clerk of said committee. The records of this committee shall be a part of the public records and shall be kept in the City Clerk's office, and shall be at all times subject to public inspection. It shall be the duty of said Health Committee to keep a general oversight over matters relating to the health of the city for the purpose of causing all nuisances, injurious to the public health and safety, to be removed or suppressed, and said committee, its chairman or any two of them, are hereby empowered to inspect, as often as they deem necessary, all markets, shops, and other places in said city, and whenever they shall find filth or putrefaction in any market, shop, or other place by them visited, which in their opinion may prove detrimental to the health of the inhabitants of said city or any portion thereof, said committee, or any two of them, shall

make a report thereof to the City Health Officer, to be dealt with according to law.

SEC. 5. *Abatement of Nuisance.* If any person or persons upon whom an order shall be made for removing a nuisance, or for cleaning and purifying the land, building or place where such nuisance shall be found, shall neglect to obey such order in the manner and time appointed by the City Health Officer, said City Health Officer may cause such nuisance to be removed or abated, and such land, building or place to be cleansed and purified, and the Common Council shall adjust, liquidate and pay the expense thereof, and the same shall be collected of such person or persons in default as aforesaid by a civil action in the name of the city.

SEC. 6. *Inspection of Plumbing and Drainage.* The plumbing and drainage of all dwelling houses and tenements in the City of New Britain, shall be subject to the inspection of the Health Committee and the Sanitary Inspector, and for this purpose they are hereby authorized to enter into or upon any dwelling house or tenement either in course of construction or otherwise in said city. Whenever, upon such inspection, it shall appear to the committee, its chairman, or any two of them, that the plumbing or drainage is defective or that any soil pipe or ventilating pipe from any dwelling or other building is placed and maintained with its opening below the roof or roofs of surrounding buildings, so as to be a detriment to the health of the neighborhood, they shall issue such orders for the immediate remedy of the defects discovered as they may deem necessary.

SEC. 7. *Penalty.* Every owner of a dwelling house or tenement who shall fail to execute any order issued in accordance with the foregoing section shall forfeit and pay a penalty of ten dollars for each and every week of non-compliance with said order.

SEC. 8. *Rules as to Plumbing and Drainage.* The Board of Health and Sanitary Inspector shall draw up such general rules and specifications in regard to plumbing and drainage as are necessary for the protection of health and shall furnish a copy of same to every plumber and builder in the city.

SEC. 9. *Building Plans to Be Approved.* No building shall hereafter be erected, or in any material manner altered or repaired, unless the owner or the person having charge of such erection, alteration or repairs shall have first submitted the plans, specifications and details therefor, in so far as the same shall relate to plumbing and drainage, to the Board of Health, and received the approval of said Board and of the Sanitary Inspector.

SEC. 10. *Approval Necessary.* No plumber or contractor for plumbing work upon any building shall construct any work requiring approval as aforesaid, until such approval has first been obtained, and in the construction of all such work strict conformity shall be had to the rules and regulations as regards plumbing and drainage of the Board of Health.

SEC. 11. *Certificates of Approval.* When the plumbing work upon any building requiring inspection and approval as aforesaid shall be completed to the satisfaction of the Board of Health and of the Sanitary Inspector, it shall issue a written certificate of approval, a copy of which and all other proceedings in the matter shall be kept on file, or recorded, and until such certificate has been issued, it shall not be lawful for the owner, manager, or agent of said property to allow the same to be occupied for human habitation.

SEC. 12. *Penalty.* Any person or persons violating any of the provisions of sections 9, 10 and 11 of this ordinance shall pay a penalty of not less than one and not more than fifty dollars for each offence.

SEC. 13. *Malignant Contagious Diseases; Quarantine of.* Every lodging-house keeper, hotel keeper or house holder in said city in whose dwelling shall occur a case of diphtheria, scarlet fever, small pox or any other malignant contagious disease shall notify the City Health Officer of said city of the same within twenty-four hours after its occurrence. The City Health Officer shall, if he deems it necessary for the public health, quarantine the case, or in case of small pox, order its removal to such place as may be designated for the reception of persons suffering from such dis-

ease, and he shall direct the disinfection of every house and disposal of all infected articles.

SEC. 14. *Persons Exposed to Such Diseases.* No person living in any family wherein any person is afflicted with any of said malignant contagious diseases shall attend school or any public assemblage of persons without the permission of the City Health Officer or the physician who shall be attending said sick person, and no person who shall have been afflicted with any of said malignant contagious diseases shall attend school or any other public assemblage of persons until the City Health Officer or the physician who shall attend such sick person shall certify in writing that such sick person is convalescent and all danger from contagion is passed.

SEC. 15. *Physicians to Report.* Every physician who shall attend any person who shall be afflicted with any of the above mentioned malignant contagious diseases shall forthwith report the same to the City Health Officer giving the street and number of the house where such sick person resides, and every physician who shall attend any person suffering from any of said malignant contagious diseases where any child of the family of such sick person shall be attending any public school, shall also immediately notify the teacher of the school which such child attends of the existence of said disease in said family, and if no physician shall be in attendance on said sick person, the parents or guardian of said child shall immediately give such notice, and the teacher of such school shall exclude said child from the same until the attending physician or City Health Officer shall certify that all danger from contagion is passed.

SEC. 16. *Teachers to Report.* Whenever any teacher or teachers shall become cognizant of the existence of any such malignant contagious disease in any house from which children attend school, it shall be their duty forthwith to report the same to one of the acting school visitors or the superintendent of schools.

SEC. 17. *Public Funerals Prohibited.* No public funeral shall be held of any person who shall die from any of the above men-

tioned malignant contagious diseases unless by the consent in writing of the City Health Officer.

SEC. 18. *Quarantined Houses.* No person other than attending physicians or attendants shall enter a dwelling house in which any person is afflicted with any of said malignant contagious diseases, nor shall any person living in the said dwelling house, where said disease shall exist, leave the same, after the said dwelling house shall have been quarantined, without the consent in writing of the City Health Officer.

SEC. 19. *Penalty for Removal.* No person shall without a permit from the City Health Officer carry or remove from one building to another any person sick with a contagious disease or any clothing or other articles which may have been exposed to infection.

SEC. 20. *Persons Not to Enter City.* No one sick with a contagious disease shall come nor shall anyone bring or cause to be brought into the city of New Britain any person known or reasonably suspected to be sick with a contagious disease or any articles which shall have been exposed to infection from any such disease without a permit from the City Health Officer.

SEC. 21. *Carriages to be Disinfected.* No hack, cab, stage, carriage, electric car or other public or private conveyance in which a person has been carried known to the owner, driver, conductor or other person having charge thereof, to be sick of a contagious disease shall be thereafter used for the carrying of any passenger until such vehicle or car shall have been disinfected to the satisfaction of the City Health Officer.

SEC. 22. *Warning Notice.* No person shall tear down or deface any notice or flag which shall be put upon or near any dwelling house to give warning of the existence of any malignant or contagious disease in said dwelling house.

SEC. 23. *Penalty.* Every person who shall violate any of the provisions of this ordinance in regard to malignant contagious diseases shall pay a penalty of not less than ten ($10) and not more than fifty ($50) dollars.

SEC. 24. *Size of Sleeping Rooms.* The occupying of any room in said city for the purpose of sleeping at night in which there shall be more than one adult person for each 350 cubic feet of space is hereby prohibited, and any person who shall occupy any room contrary to the foregoing provision, or shall let or permit the same to be so occupied, shall be guilty of a misdemeanor, and shall pay a penalty of not less than five ($5.00) and not more than twenty-five ($25.00) dollars for each offense.

SEC. 25. *Expenditures; Delegation of Duties.* No member of the Health Committee shall expend any moneys for or contract any bills without the consent of a majority of said Board passed upon at any regular meeting, except in a case of emergency where public safety is in jeopardy. Any bill contracted by any member of this committee contrary to this section shall not be legal or binding upon the city. No member of said committee shall be authorized to assume full control of the business of the Health Committee, nor shall any member of said committee take any action in reference to the regular business of the committee (except in emergency cases) except by vote of a majority of said committee at a regularly warned meeting.

SEC. 26. *Violations of Ordinance.* It shall be the duty of the Health Committee to report every violation of this ordinance to the Prosecuting Attorney, who shall prosecute the same before the Police Court.

SEC. 27. *Plumbers License.* On and after August 1, 1902, every master plumber carrying on the business of plumbing in the city of New Britain shall under such rules and regulations as the Board of Health of said city shall prescribe, petition the said Board of Health for and receive a license, the fee for such license shall be $1.00, and shall be renewed annually on the payment of a fee of 50 cents, and after said date it shall not be lawful for any person to carry on the business of plumbing in the said city until he shall have first received a license for the same.

SEC. 28. *Violations of Ordinance.* Any violations of the provisions of the foregoing section, or of the rules and regulations prescribed by the Board of Health with reference to the licensing of master plumbers, shall be deemed a misdemeanor and be punished by a fine of not less than $1.00 nor more than $5.00.

SEC. 29. *Garbage.* No person within the limits of the City of New Britain shall mingle with garbage intended for removal by the garbage collector any ashes, store sweepings, glass, rubbish or other indestructible waste, but such garbage shall be kept wholly separate and apart from such indestructible waste matter in metal cans suitable for the purpose, properly covered, and the same shall be removed by the garbage collector under the direction of the Health Committee, in water tight, covered receptacles or carts. Said committee shall make such provision for the removal, disposition or destruction of such garbage as shall be as inoffensive to the people of the city, and as little prejudicial to the health as possible.

SEC. 30. *Carrier of Garbage.* No person shall be a carrier of garbage within the city without first obtaining from the Health Committee, a permit therefor, which shall be revocable at the pleasure of said committee, and no person shall carry garbage through the streets and public places of the city excepting in water tight covered receptacles or carts.

SEC. 31. *Duties of Inspector, etc.* It shall be the duty of the chairman of the Health Committee and the Sanitary Inspector, to see that the provisions of these ordinances are complied with, and to report to the Prosecuting Attorney violations thereof.

SEC. 32. *Meaning of "Garbage."* The word "garbage" as used in this ordinance shall be construed to mean all kinds of house garbage, offal, swill and other refuse or waste liable to decay.

SEC. 33. *Violation of Ordinance.* The violation of any provision of this ordinance shall be deemed a nuisance and punished by a fine of not less than one dollar ($1.00) and not more than five dollars ($5.00) for each offence.

HEALTH.

SEC. 34. *Payment of Laborers.* Whenever laborers are employed in the Health Department it shall be the duty of the clerk of the Health Committee to make out a pay roll on which shall be entered the names of every employe, the number of hours of work performed by each for the preceding week, and the place where such work was done, including teams, if any, the price per hour and amount. And when such pay roll shall have been approved by the Mayor, an order shall be drawn by the Auditor for the full amount of the same, and the Auditor shall deliver the same to the City Clerk, who shall draw the money on said order and pay the employes on or before Saturday of each week, taking a receipt for the same from each employe.

SEC. 35. *Appointment of Milk Inspector.* The Mayor, subject to the approval of the Common Council, shall appoint one person, who shall be a citizen of New Britain, who also shall be a graduate of a recognized Veterinary College, to be "Milk Inspector."

Said appointment in 1904 shall be made within thirty (30) days after the adoption of this ordinance, the person appointed to hold office until the first day of May, 1905, or until his successor is duly appointed and qualified, and thereafter such appointments shall be made annually.

SEC. 36. *Powers and Compensation.* The Milk Inspector shall have and exercise all powers and authority and be subject to all the duties and limitations which the statutes impose upon or require of the Milk Inspector, and shall perform such other duties as may be imposed by the Common Council. He shall receive such compensation as the Common Council shall from time to time determine.

SEC. 37. *Annual Report.* Said Milk Inspector shall annually on or before the third Wednesday in April, present a report in writing to the Mayor and Common Council, stating the number of seizures made by him, the places from which, and the persons from whom the seizures were made, the character of the seizures, the number of samples taken for the purpose of analysis, the result of such analysis made and the number and result of all prosecutions.

SEC. 38. *Registration of Dealers.* No person shall sell milk within the limits of said city unless he shall have registered his name, residence and number in a book kept for that purpose at the office of the Clerk of said City.

CHAPTER XI.

INCUMBRANCES ON RAILROAD TRACKS.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *Highway Not to be Blocked.* No locomotive engine, car or train of cars shall be permitted to remain within the city limits, standing across any public street or highway, for any period of time longer than five minutes.

SEC. 2. *Penalty.* Every person or corporation using or having charge of such locomotive engine, car or train of cars, who shall be guilty of the breach of any requirement of this ordinance, shall be guilty of a misdemeanor and shall forfeit and pay, for each offence, the sum of fifty dollars, for the use of said city.

CHAPTER XII.

JURORS.

Be it Ordained by the Common Council of the City of New Britain:

SECTION 1. *Penalty.* Every juror of said city, who, being legally summoned to serve as a juryman at the City Court in said city, shall refuse or neglect to attend and perform such service agreeably to such summons, shall forfeit and pay a penalty of five dollars to the City Treasurer, unless the Court shall, on hearing his reasons for non-attendance, judge the same to be sufficient.

CHAPTER XIII.

MEETINGS OF THE CITY AND COMMON COUNCIL.

Be it Ordained by the Common Council of the City of New Britain:

SECTION 1. *Stated Meetings.* There shall be stated monthly meetings of the Common Council, at the Common Council room in said city, for the transaction of all legal business, on the third Wednesday evening of each month, and a stated annual meeting for the choice of jurors, on the third Wednesday in June.

SEC. 2. *Calling of City and Council Meetings.* The Mayor, or in case of his absence or disability, the President *pro tem.* of the Common Council may at any time, and when thereunto instructed by the Common Council, shall call a city meeting; and may at any time, and upon the request in writing of any three Aldermen and four Councilmen, shall, without delay, call a meeting of the Common Council, which meeting shall be called by issuing a warrant to the sheriff, or any suitable person named therein, requiring him to notify the electors of said city, or the members of the Common Council, as the case may be, that such meeting will be held at the time and place in such warrant designated. All warrants, in the case of city meetings, shall specify the object thereof, and shall be served at least three days before the day when such meeting is to be held, by causing a true and attested copy thereof to be published in at least one newspaper published in said city, and by posting a like copy upon the public sign-post therein; and shall be forthwith returned with proper indorsement to the City Clerk, and be by him recorded; and all warrants for meetings of the Common Council, shall be served by reading the same in the hearing of each member, or by leaving a copy thereof at his usual place of abode; and shall be forthwith returned with a proper indorsement, to the City Clerk, and be by him recorded.

SEC. 3. *Time of Commencement.* All stated meetings of the Common Council and all special meetings thereof, when not otherwise provided in the warning, shall commence at eight o'clock in the evening.

SEC. 4. *Keeping Records.* The City Clerk shall make and keep true records, properly indexed, of all proceedings of said city and Common Council, shall be clerk of all committees and keep the books of the street department.

SEC. 5. *Duties of Assistant City Clerk.* It shall be the duty of the Assistant City Clerk, in addition to his duties as prescribed in the charter, to assist the City Clerk at the meetings of the Common Council and in arranging a copy of the minutes for the printer the following day and otherwise assist the City Clerk when called upon by him.

CHAPTER XIV.

NUISANCE.

Be it Ordained by the Common Council of the City of New Britain:

SECTION 1. *Nuisances; Penalty.* The following acts when committed within said city are declared to be acts of nuisance, to wit:

Keeping or maintaining swine or pig pens shall not be allowed within the city limits except by permission of the Board of Health, nor shall any such permit be granted unless said swine or pig pen is over one hundred feet from any dwelling house or well.

Building any hennery or keeping hens or any kinds of fowls in any coop, building, or enclosure within forty feet of any street line or dwelling house or public building.

NUISANCE.

Causing or permitting the accumulation, or the placing in any building, outhouse, yard, or enclosure, of any dung, filth, stable bedding, offal, wash, dirty water, or brine which shall become offensive to any person; setting up or continuing any privy in such place or manner that the same shall become unwholesome or offensive to any person.

Making or maintaining any deposit of manure, decaying vegetables, meat, fish, offal, garbage or any other decaying substances, except in an enclosed basement, box cellar or vault within a less distance than fifty feet from any dwelling house, shop, factory or public building; depositing or maintaining a deposit of stable bedding, outside of any barn or stable within a less distance than fifty feet from any dwelling house, shop, factory, or public building.

Causing or permitting wash or dirty water to pass from yards of houses, through drains or otherwise, into any street, or upon.

Depositing or placing, or causing to be deposited or placed in rear of any business block or tenement house or upon or about any street, sidewalk, gutter, public park, stream, pond or fountain in said city, any offal, dead animal, animal matter, decaying vegetable matter, garbage, loose papers, handbills, posters, programs, notices, advertising cards, dirt (including store, house, office or saloon sweepings), ashes or rubbish of any kind whatever, or conveying through any streets thereof any offal, or dead animal, unless covered from sight.

Fastening any animal to any tree, or leaving any animal so that any tree in said city shall be injured by such animal.

Erecting, setting up, or continuing upon any street or highway, or any portion of the same, any building, fence, or gate.

Causing or permitting any wagon, cart or other vehicle, or any animal, to remain standing upon any crosswalk or sidewalk in said city, or riding, driving or leading any horse or other animal upon any sidewalk thereof, riding or driving any horse in harness, or otherwise, upon, over or across any sidewalk at a gait faster than a walk.

The driving with any sled, sledge or sleigh, in or through any street or highway of said city without a bell or bells attached to such sled, sledge or sleigh, or to the horse or horses drawing the same.

Injuring, defacing, or soiling any public or private building, fence or enclosure; injuring any tree, shrub, plant, or other vegetable production in the streets or in any public or private enclosures in said city.

Tramping upon the grounds or grass outside the regular walks in the public parks of the city, or injuring any of the trees, plants, flowers or shrubbery therein, or committing any nuisance in or about said parks.

Making any loud or boisterous noise in the night season in any street, building, or other place, whereby any person is disturbed.

Ringing hand-bells in any street of said city, to advertise auction or other sales.

Trespassing in any garden or yard in said city.

Placing any mortar bed, or placing or continuing the deposit of any building material in any street in said city without a license from the Common Council or committee thereof.

Racing or trying the speed of horses upon any street in said city.

Carrying on of any trade or business upon the sidewalks or streets, without license therefor; resisting, molesting, or disturbing any executive or police officer or Street Commissioner of said city while discharging his duty.

Placing any sign across any sidewalk without permission from the Common Council.

Assembling idly and remaining in crowds upon any footway, sidewalk, or crosswalk in any street, or in any public park of said city, or before any church or public building; so assembling to the number of three or more persons, and refusing to disperse when commanded so to do by a police officer, special constable,

or other officer of said city ; or reassembling in like manner with the same or other persons upon the same day or evening after having been commanded to disperse.

Sliding down hill upon sleds or otherwise, upon any public street.

Throwing or playing with any ball upon any public street.

Shooting with sling or air guns within the city limits.

Accumulating in or near any building, shavings, hay, husk, straw, or other combustible materials in such a manner as to endanger property from fire, or depositing or keeping hay, straw, husk, or other combustible materials in any building occupied wholly or in part as a dwelling.

And any person doing or committing any of said acts, which are misdemeanors under the Charter, or who shall knowingly aid or assist in the commission of the same, shall be fined not more than twenty ($20.00) dollars nor less than five ($5.00) dollars for each offence, and each day's continuance of any continuing nuisance herein before mentioned, shall constitute a separate and distinct offence, and any person doing or committing any of said acts, which are not misdemeanors under the Charter, or who shall knowingly aid or assist in the commission of the same, shall forfeit and pay a penalty of not more than twenty ($20.00) dollars and not less than five ($5.00) dollars for each offence, and each day's continuance of any continuing nuisance herein before mentioned, shall constitute a separate and distinct offence.

SEC. 2. *Burial of Dead Animals; Penalty.* Any animal that shall die or be found dead in said city, except when such animal shall be killed for food, shall be properly buried by the owner thereof upon notice by the police, and when such owner is not known, or, being notified as aforesaid, shall neglect or refuse to bury said animal, the same shall be buried by the police at the expense of the city ; and any person so neglecting or refusing shall forfeit and pay a penalty of not less than five nor more than twenty dollars.

SEC. 3. *Transportation of Night Soil; Penalty.* No person, without the consent of the Health Committee, shall convey the contents of any privy vault, or cesspool, through any street of said city, except in a tight box, and between the first day of November and the first day of April then next succeeding, and between the hours of nine and five o'clock, in the night season; and any person so offending shall forfeit and pay a penalty of five dollars for each offence.

SEC. 4. *Privies and Cesspools.* No person without the consent of the Health Committee, shall build or maintain any privy or cesspool in said city within forty feet of any well, or twenty-five feet of any street line, dwelling house, shop, factory, or public building, nor without leaving at least two feet of solid earth or mason work laid in cement between such privy or cesspool and the lot adjoining.

SEC. 5. *Privies and Privy Vaults.* No privy shall hereafter be erected or suffer to remain in said city, unless connected with some public sewer, or unless kept clean by means of fresh earth or other disinfectant, or without having a vault under the same of the depth of at least six feet of the full length and width of such privy, and closed up all sides; nor shall said vault be suffered to be at any time filled within three feet of the general surface of the ground around such privy; and any person offending against the provisions of this section, and of section fourth of this ordinance, shall forfeit and pay a penalty of not less than five or more than twenty dollars for each offence, and each week's continuance thereof shall be deemed a separate offence.

SEC. 6. *Sewer Connections.* All persons who own or occupy any land fronting a street through which a sewer is or shall be built, shall connect all their sink drains, water closets and privies on said land with such sewer, and no cesspool shall be built or maintained on said land; and any person offending against the provisions of this section shall forfeit and pay a penalty of not less than five nor more than twenty dollars for each offence, and each week's continuance thereof shall be deemed a separate offence.

CHAPTER XV.

ORDINANCES.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *Publication.* Every ordinance of said city shall be once published in a newspaper in said city.

SEC. 2. *When Operative.* No ordinance shall be valid and operative until it has been once so published.

SEC. 3. *Orders and Notices.* All orders and notices requiring publication by the City Charter, and all orders and notices published by order of the Street Commissioner or any other city officer, in any newspaper, shall not be published more than once in such paper, except by special order of the Common Council.

SEC. 4. *To be Printed in Annual Reports.* All new ordinances and amendments of ordinances shall be printed with the annual reports of the Mayor and several departments.

SEC. 5. *Repeal of Former Ordinances.* All the ordinances of said city in force on the 15th day of July, 1896, shall hereby, whenever these ordinances go into effect and become operative, viz.: on the first day of August, 1896, be repealed except the ordinances on streets and bicycles, but no offence committed and no liability, penalty, or forfeiture heretofore incurred, and no prosecution or suit pending, shall be affected, and no ordinance heretofore repealed, shall be revived by this repeal.

CHAPTER XVI.

POLICE.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *Police Force.* There shall be and hereby is established a police force of said city, which shall consist of a Chief of Police, a Captain of Police, and not more than sixteen active policemen, and not less than ten or more than fifty supernumerary policemen.

SEC. 2. *Chief of Police.* It shall be the duty of the Chief of Police to superintend, under the direction of the Police Commissioners of said city, the entire police force; to inform himself of the fidelity and efficiency of every member thereof; to have charge of and be responsible for the condition of the station house and its furniture; to supply the same with lights and fuel, and the inmates, if any, with necessary food, at the expense of said city; to attend on the Police Court; to receive from members of said force all complaints of violations of the public law or the city ordinances, and see that the same are prosecuted; to report all cases requiring a written complaint to the Prosecuting Attorney or the Assistant City Attorney; to designate a supernumerary policeman to take the place of any active policeman absent from duty; to call into active service the supernumerary police or any portion of the same, when authorized thereto by the Mayor, acting Mayor or the Police Commissioners; to be present at all fires in said city and assist thereat in the preservation of order and the protection of life and property, and in all legal ways to guard the peace of said city.

SEC. 3. *Expenditures to be Approved; Witness Fees, etc.* It shall be the duty of the Chief of Police to make out monthly and present to the Judge of the Police Court a detailed statement of all moneys expended by him for the department. Said statement

must be approved by the said Judge of the Police Court before the Clerk of the Court shall be authorized to draw an order or pay the amount of the statement. And said Clerk of the Court shall be responsible to said Court for the amount of any statement paid by him which has not been approved by the said Judge of the Police Court. The Clerk of said Court shall not be authorized to pay out any moneys except for witness fees and the fees of the Prosecuting Attorney and the Assistant Attorney, nor to contract any bills except by order of the Judge of the Police Court.

SEC. 4. *Captain of Police.* In case of the absence from said city of the Chief of Police or his inability to discharge the duties required of him by this ordinance, the Captain of Police shall, during such absence or inability, be Acting Chief of Police.

SEC. 5. *Policemen, Their Duties.* It shall be the duty of Policemen to obey all lawful orders and directions of the Mayor, Police Commissioners and Chief of Police; to guard the city day and night; to report to the Chief of Police all violations of the laws of the State, and ordinances of said city, all suspicious persons, all houses of ill-fame, all gaming houses, all disorderly and suspicious places of resort; to preserve the public peace; to secure the detection, arrest and conviction of offenders, and render all possible assistance to the ministers of the law; to be present and on duty at all fires in said city, when not otherwise specially employed; to serve processes of the Police Court and notices ordered by the Common Council; to direct strangers the nearest way to their places of destination, to keep open and free from obstruction by vehicles, crowds, or groups of persons, or other things, the streets, sidewalks, and public places of said city; and in general to perform the duties assigned them in these ordinances, and do all in their power to preserve the peace and protect life and property.

SEC. 6. *Badges.* The Chief of Police and other members of the police force shall wear, when on duty, their distinguishing badges, as prescribed by the Police Commissioners.

SEC. 7. *To Assign Fees to the City.* No fee or compensation, other than the regular pay, shall be charged or received by any member of the Police force, but each member shall, before entering upon the discharge of the duties of his office, execute in writing an assignment to the Treasurer of said city of all his interests in any fees which may be taxed in his favor in the Police or City Court in causes in which said city is a party, and no member of the force shall be entitled to receive any salary for any services rendered by him, until such assignment shall have been executed to the satisfaction of the Police Commissioners, and lodged on file in the office of the City Clerk; nor shall any member of the force receive any present or reward for services rendered, or to be rendered, by him unless with the consent of the Common Council.

SEC. 8. *Policemen's Qualifications.* Every member of the Police force, shall, at the time of his appointment, be a citizen of the United States and an elector in said city, and able to speak, read, and write the English language, and shall before entering upon the discharge of the duties of his office, make oath or affirmation, before the City Clerk that he will support the Constitution of the United States and of the State of Connecticut, and will faithfully discharge the duties of his office, and shall cause a certificate of such oath or affirmation to be lodged with the City Clerk.

SEC. 9. *Pay of Police.* The pay of Chief of Police shall be one thousand one hundred dollars per year. The pay of the Captain of the police shall be one thousand dollars per year, and the pay of the active policemen nine hundred dollars per year, and at the same rate for each supernumerary for each day of actual service, except the supernumeraries detailed for fire police duty, who shall be paid as stated in section 15 of this chapter.

SEC. 10. *Cause for Preferment of Charges.* The wilful breach of any law of this State, or ordinance of said city, neglect of duty, inefficiency, insubordination, or other disgraceful or improper conduct which will bring discredit on the police force or impair its

usefulness, shall be considered sufficient cause for the preferment of charges against the officer so offending, under the provisions of the charter of said city.

SEC. 11. *Policemen, Conduct of.* Every member of the force who shall, while on duty, enter any tippling, or bawdy, or otherwise disorderly house, unless to suppress disturbance, or upon the order of his superior officer, or shall become intoxicated, or shall interfere in any caucus or primary election, or shall attempt, either directly or indirectly, to influence any elector in the exercise of his right of voting, or shall attend to any poll or voting place unless so directed by his superior officer, shall be removed from his place in said department, and be ineligible to reappointment for the term of one year.

SEC. 12. *Acting as Town Officer or Engaging in Private Business.* Any policeman who shall act as a Constable of the town of New Britain, or who shall act as any other officer of said town, in any capacity in which he is entitled to receive salary, fees, or emoluments, or who shall engage in any private business interfering at all with his duties as a policeman, shall be deemed to have tendered his resignation as a policeman, and the same shall be accepted by the Police Commissioners and his place as policeman be filled or declared vacant.

SEC. 13. *Street Lights and Side Walks.* It shall be the duty of every policeman to report to the Chief, on blanks provided for the purpose, each morning whether or not the electric or naptha lamps on his beat were giving proper light during such time as the light should be in running order. In case any light should be out for any length of time, it shall be the duty of the patrolman on that beat to report the same to the Chief as much in detail as may be required. It shall also be the duty of each patrolman to report to the Chief on blanks provided for that purpose the names of all property holders whose walks have not been cleaned of snow, in accordance with the ordinance entitled "Streets." It shall be the duty of the Chief of Police to hand a list of such names to the Prosecuting Attorney.

SEC. 14. *Janitor for City Building.* The Police Commissioners shall have full charge and care of the city building on Commercial street, and may appoint a janitor for the same, whose salary shall be fixed by the Common Council and paid from the general funds of the city.

SEC. 15. *Attendance at Fires.* The Police Commissioners shall detail from among the members of the supernumerary police, a number of not less than five for such a time as may be deemed sufficient and best, who shall receive pay while on this special duty at the rate of sixty cents for the first hour and forty cents per hour for such other time as they shall be needed; the duty of said special detail shall be to attend all fires, answer every alarm, and under the direction of the Chief of Police, or other officer in command, to guard the approaches to any building or buildings on fire with ropes or other apparatus, and unless ordered by the Chief of Police or other officer in command, not to permit within the lines any person not a member of the Fire and Police Departments; the Mayor, Fire and Police Commissioners, and owners of the property excepted and to perform such other duties as may be required of them by the Chief of Police or other officer in command; and any person who shall force his way within such lines against the order of such police, shall be guilty of a misdemeanor and subject to instant arrest, and to such fine not exceeding twenty dollars as may be imposed by the police court.

All ordinances inconsistent with the foregoing are hereby repealed.

CHAPTER XVII.

PUBLIC CONVEYANCES.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *Public Carriages.* Every hack, omnibus, cab, coach, barouche, or other vehicle on wheels or on runners and drawn by one or more animals, which shall be used in said city for carrying persons for hire, shall be deemed a public carriage within the meaning of this ordinance.

SEC. 2. *How Licensed.* No public carriages shall be used within the limits of said city unless the same shall be duly licensed by the City Clerk, and every such license shall be in writing, and expire on the first Monday in May succeeding its date, and shall be recorded before being issued by the City Clerk in a book kept for that purpose. Every license issued shall be countersigned by the Chief of Police.

SEC. 3. *License Fees.* No public carriage shall be licensed as aforesaid until the owner thereof shall have paid the clerk of said city, license fee, as follows, namely: For each public carriage, or other vehicle drawn by two or more horses or other animals, two dollars; drawn by one animal, one dollar; and the receipt of the City Clerk for the same shall be filed with the Chief of Police, and shall be sufficient evidence of the payment of the aforesaid fee.

SEC. 4. *Rate of Fares.* The rate of fares to be charged by the proprietors or drivers of public carriages shall not exceed the following:

For Carrying One Passenger any distance within the limits of said city,	25c
For Carrying One Passenger with One Trunk,	50c
Two Passengers,	50c
Two Passengers with One or Two Trunks,	75c
Three Passengers,	75c

Three Passengers with Two or Three Trunks, - - -	$1.00
Four Passengers, - - - - - - - - -	1.00
and with One or Two Trunks, The Same.	
Four Passengers, with Three or Four Trunks, - - -	1.25
For Carrying Passengers a greater distance than within the limits of the city, for each passenger or trunk, - 25c	extra
For carrying Children between the ages of Four and Twelve Years, one-half of the above rates only shall be charged; and not over 15 cents shall be charged for each and every trunk exceeding the number mentioned above.	
For the Use of a Public Carriage by the hour, for the first hour $2.00, and at the rate of $1.00 per hour after the first hour until 12 o'clock midnight, and one dollar per hour extra thereafter until 6 o'clock a.m.	
For going to and from funerals, - - - - -	$3.00
Attending upon Weddings, - - - - - - -	3.00
To and from Receptions, Dances, etc. until 1 a.m. - -	2.00
And until two o'clock and after, - - - -	3.00
To and from Christenings, - - - - - -	2.00

SEC. 5. *Owner's Name, etc.* The name of the owner, the number of the license and the rates of fare, as prescribed by this ordinance, shall be conspicuously exhibited upon a card placed upon the inside of each public carriage, and the number of said license shall also be fastened or painted conspicuously upon the lamps upon each side of said vehicle.

SEC. 6. *Penalty.* Every person, whether the owner or driver of a public carriage or other vehicle, who shall violate any of the provisions of the preceding sections of this ordinance, shall forfeit and pay for each offense a penalty of not less than five nor more than twenty-five dollars.

SEC. 7. *Waiting Stand.* No hack, barouche, cab, omnibus, coach, or other vehicle on wheels or on runners, which shall be used in said city for hire, and no baggage wagon, express wagon, cart, truck

or dray, or other vehicle on wheels or runners, which shall be used or employed in said city for the conveyance of baggage, goods, merchandise, wares, freights, or anything whatever for hire or for the sale thereof, shall stand at any place in said city for such purpose or waiting for employment except on the west side of the public park of the city in such order or manner as the Chief of Police may prescribe.

SEC. 8. *Penalty.* Any person who shall violate the provisions of section seven of this ordinance shall forfeit and pay a penalty of not less than one dollar and not more than five dollars for each offence.

CHAPTER XVIII.

SALARIES AND BONDS.

Be it Ordained by the Common Council of the City of New Britain:

SECTION 1. *Salaries.* The salaries and compensations of the several officers and employees of the city shall be as follows, to wit:

The Mayor, - - - - - - -	$ 600.00	per annum
The salary and compensation of the City Clerk shall be fifteen hundred dollars per annum, - - - - - - - -	1,500.00	"
The salary and compensation of the Assistant City Clerk shall be one hundred dollars per annum, - - - - - - - -	100.00	"
The salary and compensation of the City Auditor shall be four hundred dollars per annum, - - - - - - - -	400.00	"
The Treasurer, - - - - - -	100.00	"
The Judge of the Police Court, - - -	1,000.00	"

Assistant Judge of the Police Court, - -	250.00	per annum
Clerk of the Police Court, - - - -	500.00	"
Corporation Counsel, - - - -	1,500.00	"
Prosecuting Attorney, - - - -	800.00	"
Assistant City Attorney, - - - -	275.00	"
City Sheriff, - - - - - -	225.00	"
City Health Officer, - - - - -	500.00	"
Sanitary Inspector, - - - - -	600.00	"
City Rate Maker, - - - - -	225.00	"
Street Commissioner, - - - -	1,200.00	"
And $200.00 per annum for use of his team, said $200.00 to be taken from the appropriation for streets and payable quarterly.		
The salary and compensation of the city surveyor shall be two thousand dollars per annum, - - - - - . - -	2,000.00	"
The salary and compensation of the chairman of the board of Fire Commissioners shall be two hundred dollars per annum,	200.00	"
Chairman of board of Water Commissioners,	1,000.00	"
Other members of board fees per meeting, $3.00.		
Chairman of Street Committee, - - -	300.00	"
Members of board of Street Commissioners (each) - - - - - - - -	150.00	"
Members of board of Subway Commissioners (each) - - - . - - -	100.00	"
Members of the board of Sewer Commissioners, fees per meeting, $3.00.		
Clerk of the board of Water Commissioners,	800.00	"
Clerk of the board of Street Commissioners,	400.00	"
Clerk of the board of Sewer Commissioners,	300.00	"
Clerk of the board of Fire Commissioners,	100.00	"

Clerk of the board of Police Commissioners,	100.00	per annum
Clerk of board of Subway Commissioners,	50.00	"
Sealer of Weights and Measures, fees		
Superintendent of Electrical Department,	950.00	"
Chief Engineer of the Fire Department,	450.00	"
Assistant Engineer of the Fire Department,	350.00	"
Engineer of each steam fire engine,	300.00	"
Stoker of each steam fire engine,	220.00	"
Foremen of hose companies,	250.00	"
Assistant Foremen of hose companies,	225.00	"
Members of hose companies (each)	200.00	"
Permanent drivers,	800.00	"
Chief of Police,	1,100.00	"
Captain of Police,	1,000.00	"
Policemen (each)	900.00	"

The Collector of Taxes, one per cent. on the amount of taxes collected, and three-fourths of one per cent. on the amount of street, sewer and stream assessments collected.

SEC. 2. *Pay Rolls.* The City Auditor shall draw his order semi-monthly on the City Treasurer for the payment of each regular member of the Police Force and each permanent driver of the Fire Department, and weekly for the payment of each laborer in the employment of the Street, Subway and Health Departments of said city, and monthly for each supernumerary member of the Police Force and all city officers, and quarterly for each member of the Fire Detail of the Police Force; provided that the bills or pay rolls presented to the Auditor by the said Police Officers, Permanent Drivers, employees of the Street, Subway and Health Departments and City Officers, for their respective salaries or wages shall each be separately approved by the Mayor, he shall then deliver the above orders to the City Clerk, whose duty it shall be to disburse the same and obtain receipts therefor.

SEC. 3. *Bonds of City Officers.* All bonds of city officers shall be payable in said city to the Mayor and his successors in office,

and shall be executed by the principal, and when not otherwise provided, two sufficient sureties to the approbation of the Mayor and four Aldermen ; such bond shall be conditioned on the faithful performance by the principal of all his official duties due to said city by virtue of his appointment, and on his saving the city harmless from all loss, cost or damage, by reason of his malfeasance in office, and on his rendering a true account of all his money dealings for, in behalf of, and with said city, and on his just and true payment to the City Treasurer of all moneys in his hands at any time as an officer or agent of said city for and during the entire period for which he shall remain in his office by appointment or election. Such bonds shall be given before such officer shall enter upon his official duties, and in case of the refusal or neglect of such officer to give such bonds, his office shall be deemed vacant.

SEC. 4. *Penalties of the Bond.* The penalties of the bond required of the several city officers shall be respectively as follows : Of the City Clerk, three thousand dollars ; of the City Treasurer, fifteen thousand dollars ; of the City Auditor, three thousand dollars ; of the City Collector, twenty thousand dollars ; of the City Sheriff, two thousand dollars ; of the clerk of the city and police courts, one thousand dollars ; of the City Surveyor, five thousand dollars ; of the Street Commissioner, two thousand dollars ; of the chairman of the board of Water Commissioners, fifteen thousand dollars, and of the other members of said board, five hundred dollars each ; of the Sewer Commissioners, three thousand dollars each ; of the chairman of the board of Fire Commissioners, two thousand five hundred dollars ; of the chairman of the board of Police Commissioners, one thousand dollars ; and of the Subway Commissioners, two thousand dollars each.

SEC. 5. *Disbursing Officers and Committees* Every committee and every city officer, in whose hands money may be placed for disbursement, shall, unless otherwise provided in these ordinances, first give bonds to said city for the faithful disbursement of the same in such sums as the Mayor and Aldermen shall require.

SEC. 6. *Surety Bonds Required; Duties of Mayor.* No private individual or individuals shall hereafter be accepted as sureties on the bonds of city officials. All such officials required by the charter or ordinances of this city to furnish bonds shall obtain as sureties some responsible surety company.

It shall be the duty of the Mayor to see that the oath of office shall not be administered to any city official required by the charter or ordinances to furnish a bond, until such surety bond shall be filed with the said Mayor, and the proper approval of the necessary number of aldermen and the approval of the Mayor with the date and time of filing said bond shall be endorsed thereon. It shall be the further duty of the Mayor to cause all such bonds with all endorsements thereon to be recorded at length by the City Clerk, immediately upon the filing of the same on the records of the city. The Mayor shall at all times be responsible for the safe keeping of all such bonds. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

CHAPTER XIX.

SEWERS.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *Sewer Commissioners, Compensation.* Each one of the board of Sewer Commissioners shall receive three dollars for each day of actual employment in the duties of his office, and shall report monthly to the Common Council the number of days of said employment during the previous month.

SEC. 2. *To Give Bonds.* Each member of the board of Sewer Commissioners shall give bond, with at least one sufficient surety, in the sum of three thousand dollars, for the faithful performance of his duty.

SEC. 3. *To Keep Record and Report.* Said board of Sewer Commissioners shall keep record of their official doings, and report the same annually to the Common Council, at its first meeting in April.

SEC. 4. *Permission for Sewer Connections.* No person or corporation shall make any connection of sewers or drains with any public sewers without written permission, signed by a majority of the members of the Board of Sewer Commissioners. And any person offending against the provisions of this section shall forfeit and pay to the city a penalty of fifty dollars for each offense.

SEC. 5. *Steam in Sewers.* No person or corporation shall allow steam from the premises owned and occupied by them to enter any public sewer, nor shall they without the consent of the Common Council first obtained, allow air to be forced from such premises into any sewer, by means of a blower or otherwise, and any person offending against the provisions of this section shall forfeit and pay to the city a penalty of fifty dollars for each offense, and each week's continued violation shall constitute a separate offence.

SEC. 6. *Repair and Cleaning of Sewers; Cost of New Sewers* It shall be the duty of the board of Sewer Commissioners to supervise and direct the repair and cleaning of all sewers and their appurtenances whenever the same shall be necessary, and to keep the same properly cleaned and repaired, except the cleaning of the catch basins and receivers, and also to execute and perform all orders and directions of the Common Council in relation to changes in the sewer department.

All recommendations of the Sewer Commissioners to the Council in regard to the building of new sewers shall contain a careful estimate of the cost of construction as well as of the amount of probable assessment.

SEC. 7. *Payment of Bills.* The bills for the work ordered to be performed by the board of Sewer Commissioners in the foregoing section, when approved by a majority of the board, shall be

presented to the Common Council, and ordered paid from the funds which may be appropriated for the sewer department for that purpose.

SEC. 8. *Connections with Sewer.* Whenever a petition for permission to connect property with a sewer in an adjacent street shall be referred to the board of Sewer Commissioners with power, no permit shall be issued for such connection until the assessment for the same shall have been levied by the board of Street Commissioners and by them reported to the Common Council.

SEC. 9. *Reports, Map, etc.* Upon the completion of any sewer ordered by the Common Council the board of Sewer Commissioners shall make a report of the same to the Common Council and accompany said report with all necessary maps, profiles, etc., necessary for the laying of sewer assessments.

SEC. 10. *Digging Up Streets* The Sewer Commissioners before granting permits to property owners to connect their premises with sewer mains shall require such property owners to show a permit to dig up the street for that purpose, signed by the Street Commissioner.

CHAPTER XX.

STOPPAGE OF CARS AND VEHICLES IN CASE OF EMERGENCY.

Be it Ordained by the Common Council of the City of New Britain:

SECTION 1. *Powers of Mayor.* Whenever in the opinion of the Mayor of the city an emergency arises calling for the cessation of the running of cars and other vehicles through any of the streets of the city the Mayor may issue an order to all parties concerned over his hand as Mayor and the City Seal ordering the cessation

of such traffic during such period as he shall deem the emergency requires, and upon such notice as he shall deem reasonable. It shall be the duty of all corporations and persons to strictly conform to and obey such order. It shall be the duty of the Chief of Police, upon being notified of the issuing of such order to strictly enforce the same.

SEC. 2. *Penalty.* Any person violating any of the provisions of this ordinance shall forfeit and pay to the City of New Britain the sum of twenty-five ($25) dollars for each offense.

CHAPTER XXI.

STREETS.

Be it Ordained by the Common Council of the City of New Britain:

SECTION 1. *Street Commissioners, Pay of.* Each member of the board of Street Commissioners shall receive a salary of one hundred and fifty ($150.00) dollars per year in full for all his services as a member of such board.

SEC. 2. *Clerk, Duties and Compensation.* The board of Street Commissioners shall appoint a clerk whose salary shall be four hundred dollars ($400.00) per annum. It shall be the duty of said clerk to keep a record of the doings of said board in a book provided for that purpose; and when said board has completed an assessment of damages and benefits occasioned by any public improvement submitted to said board, to make a written report to the city clerk, giving the amounts of such assessments and the names of the parties for and against whom the assessments are made, accompanied also with a description of the real estate upon account of which said assessments have severally been made. It shall be the duty of the City Clerk to keep said report on file in his office for the purpose of filing liens upon the property described therein, for the security of amounts due the city on account of such assessments.

SEC. 3. *Notice, How Given.* Before making any assessment of damages and benefits said board of Street Commissioners shall give written notice to the parties interested of the time and place when and where it will meet to hear them, which notice, as to residents of said city, shall be served by the city sheriff or other indifferent person reading the same in the hearing of each party to be notified, or by leaving a copy thereof with said party or at said party's usual place of abode, at least three days before the date of such hearing; and which notice as to non-residents shall be served by the city sheriff or other indifferent person by mailing, by registered mail, post paid, at least one week before said hearing, a copy of said notice to the last known address of such non-resident.

SEC. 4. *Street Commissioner, Election and Bond.* There shall be an officer appointed for said city to be called the Street Commissioner, who shall hereafter be elected annually in the month of April, after the third Tuesday thereof (in 1896, however, at the convenience of the Common Council, to hold his office until May 1, 1897), who shall be sworn to a faithful discharge of his duty, and who shall give bond, with sufficient sureties in the sum of three thousand dollars, and shall receive a salary at the rate of twelve hundred dollars per annum, and $200.00 per annum for the use of his team. Said $200.00 to be taken from the Appropriation for Streets and payable quarterly.

SEC. 5. *Duties of Street Commissioner.* It shall be the duty of the Street Commissioner to execute and supervise the execution of all orders and directions of the Common Council relative to the construction, completion, alteration or repair of all streets, highways, sidewalks, gutters, crosswalks, etc., in said city when not otherwise expressly ordered to be done by other officers or persons; to keep all public places and thoroughfares free from nuisances, and from danger to persons and property, by causing the immediate repair of all defects, and the prompt removal of all obstructions, encroachments, encumbrances, and filth therein, and by reporting for prosecution all violations of city ordinances relating

thereto, to provide for the cleaning of all catch basins and receivers, to prescribe the terms and manner of excavating streets and highways, also the manner of moving buildings through the public streets and highways; to keep a record of complaints, and faithfully enter therein all complaints made to him concerning streets, sidewalks, and all public places, and the breach of ordinances and orders relating thereto; to conform to all general rules and special directions of the Common Council and the street committee thereof relating to the locality, measurements, and materials of public work; to keep an accurate account of expenditures in his department, which account shall be open at all times to the inspection of any member of the Common Council; to make a written report to the Common Council at its first meeting in April of each year of the work and expenditures of the year ending with the March 31st next previous; also to impart at any time any and all information in his power which the Common Council or the street committee thereof may call for concerning his official action or the condition of his department; to employ and procure such labor and sundry material as the discharge of his duties and the authorized work of his department may require; and to make provisional contracts, subject to the approval of the Common Council for such public works connected with highway, streets, crosswalks, sidewalks, gutters, etc., as ought in his judgment to be done by contract. He shall not, however, be directly or indirectly, pecuniarily interested in furnishing any supplies or materials, teams or labor to the city.

Nor shall he alter the grade of any street, highway or sidewalk already established, except by order of the Common Council.

SEC. 6. *Property Owners to Connect With Sewers, etc.* In case a street is to be paved with macadam, asphalt, or block stone, or to be repaired in a general way with any substance except earth, all abutting property owners shall be duly warned thereof by a notice by mail by the Street Commissioner, and also by notice published in a daily paper printed in said city, twice, not less than two weeks before the said repairs are commenced, and thereupon

every such owner shall connect such premises with the main lines of sewer, water and gas by service pipes from said mains in such street to the inside of the curb or paving line of such street, if not already connected. Upon failure so to do, the same shall be done by direction of the Street Commissioner, and the expense thereof be borne by such property owner and the same be and remain paid in full with interest a lien upon said premises and property to be enforced and collected as other city liens. It shall be the duty of the Street Commissioner to cause a certificate of such lien to be recorded within sixty days after the completion of such work, unless previously paid.

SEC. 7. *Pay Roll of Street Department.* It shall be the duty of the Street Commissioner on or before Saturday of each week to make out a pay roll on which shall be entered the name of every workman, the number of hours of work performed by each for the preceding week, and the place where such work was done, including teams, if any, price per hour, and amount. And when such pay roll shall have been approved by the Mayor an order shall be drawn by the Auditor for the full amount of the same, and the Auditor shall deliver the same to the City Clerk, who shall draw the money on said order, and pay the workmen on or before Saturday of each week, taking a receipt for the same from each workman.

SEC. 8. *Excavating or Obstructing Streets; Bond.* Every person who shall, without the consent of the Street Commissioner, or of the Common Council, dig up or excavate any portion of the streets, highways, sidewalks, or gutters of said city, or shall place thereon any earth, stones, rubbish, or obstructions to the public use of travel, or shall aid, assist, or abet in any of said acts shall be guilty of a misdemeanor and shall for each offence pay a penalty of ten dollars. The consent of the Street Commissioner or of the Common Council to each obstruction or excavation as aforesaid, shall not be given until a bond satisfactory to them has been given, securing the city against any claim for damages from accidents caused by said excavations or obstructions.

SEC. 9. *Connecting Property With Pipes; Penalty.* Every person who shall connect his property with sewer, water, or gas in a street made of any substance but earth, or repair any such existing connection, shall first secure the written consent of the Street Commissioner. After such consent has been given the Street Commissioner shall supervise and direct such work in such street. All expenses incurred on the part of the city on account of such supervision shall be paid by the party at whose request such permit was issued. Any person violating this section shall be guilty of a misdemeanor, and shall be fined ten dollars for each offence.

SEC. 10. *Erection and Maintenance of Signs.* No sign shall be erected or maintained over the sidewalk or attached to any pole in or upon any portion of a street of said city.

SEC. 11. *Of Posts.* No pole or post except such as may be lawfully erected for the support of the trolley wires used by the electric railway companies, and hitching posts of stone or iron, shall be placed, erected or maintained upon or near any curb within the district of said city where subways are located.

SEC. 12. *Penalty.* Any person offending against any of the provisions of this ordinance shall forfeit and pay a penalty of ten dollars for each offence, and the maintenance of any sign, pole or post against the provisions of this ordinance for each period of ten days after notice from the Street Commissioner to remove the same, shall be a separate offence.

SEC. 13. *Inconsistent Ordinances.* All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

SEC. 14. *Failure to Fill Up Openings in Streets.* Every person who after having been notified by the Street Commissioner to fill up any excavation or opening in any of the highways, streets, sidewalks, or gutters of said city, made, or procured to be made by him, or to remove therefrom any obstructions, rubbish, earth, or stones placed thereon by him, or by his procurement, shall neglect or refuse so to do within the time limited in such notice, shall be guilty of a misdemeanor and shall pay for each offence a

penalty of ten dollars; and such neglect or refusal for each twenty-four hours after the expiration of the time limited in such notice shall be deemed a separate and distinct offence.

SEC. 15. *Injuring Streets by Water; Liquid Garbage; Penalty.* No person shall flush any hydrant or fill any catch basin to the detriment of the macadamized streets. No person in charge of any night lunch wagon, or store on any street, shall pour or allow to be poured any liquid garbage on the street or sidewalks of the city. Every person who shall violate this section shall be guilty of a misdemeanor and shall be fined ten dollars for each offence.

SEC. 16. *Snow and Ice on Sidewalks; Penalties.* The owner or occupant of any land or building fronting on any street or public place in said city, where there is a sidewalk either of stone or cinders, shall within six hours of daylight immediately following the cessation of any fall of snow, ice or sleet, or accumulation of ice thereon, cause the same to be removed from such sidewalk, and if the same cannot be wholly removed, shall sprinkle thereon sand or other proper substance, so that the passing upon said sidewalk shall not be obstructed, dangerous, or inconvenient; and upon failure to do so within the time limited shall be guilty of a misdemeanor, and shall be fined not less than one dollar nor more than ten dollars for each offence. After the expiration of the time limited as aforesaid, for removing such snow, ice or sleet, it shall be the duty of the Street Commissioner to cause the same to be removed and the expense thereof shall be and continue to be a lien and real encumbrance in favor of said city, and upon such land or buildings; and it shall be the duty of the Street Commissioner to cause a certificate of lien thereof to be recorded within sixty days thereafter, unless such expense shall have been previously paid. The provisions of this section shall also apply to the falling of snow from any building.

SEC. 17. *Opening of Streets; Penalty.* No street, or public thoroughfare, or part of any street or thoroughfare, shall be opened to the public use within the limits of said city except by the direction of,

or consent of the Common Council first obtained, and if any person or corporation shall lay out or open any street, or public thoroughfare, or part of any street or public thoroughfare, within the limits of said city, without such consent or direction, such person or corporation so offending shall forfeit and pay a penalty of fifty dollars for each period of ten days during which such street or part of street, public thoroughfare or part of public thoroughfare, shall remain open and accessible to the public, and the original opening aforesaid, and each continuance of ten days, as aforesaid, shall constitute a separate and distinct offence. No street shall be accepted until properly graded to the full satisfaction of the Committee on Streets.

And no grade of any street, highway or sidewalk already established or to be established hereafter shall be altered by any street commissioner or other person except by the direct orders of the Common Council.

SEC. 18. *Lamps at Obstructions in Streets; Penalty.* Whenever any lumber, brick, mortar or other building material shall necessarily be left in any street by consent of the Common Council, the amount of room to be so used may be restricted to the actual need of the parties having such consent by the Street Committee or Street Commissioner. Each and every night from dark to daylight the person having this consent must keep a well lighted lamp or lantern at each end of the obstruction, and every person offending against this provision of this ordinance shall forfeit and pay a penalty of ten dollars for each offence.

SEC. 19. *Inconsistent Ordinances Repealed.* All ordinances and parts of ordinances heretofore existing inconsistent with this ordinance on streets, and all previous ordinances and parts thereof that are substantially of the same tenor and embrace the same subject matter as this ordinance, are hereby repealed.

SEC. 20. *Neglect to Make or Pave Sidewalk or Gutter.* Whenever the owner of any land fronting upon any street or highway in this city shall neglect to make or pave any sidewalk or gutter within

the time and in the manner ordered by the Common Council, or shall neglect or refuse to keep his sidewalk in good repair, it shall be the duty of the Street Commissioner to make or repair the same, and the cost of making or repairing, and interest thereon, shall be a lien or real incumbrance upon the land and buildings in reference to which such sums shall have been expended to be enforced in like manner as other city liens.

SEC. 21. *Curb Required.* Whenever the Common Council shall order a crosswalk on any street the Street Commissioner shall not carry out the order until the property owners owning property at such place have put in a curb, cut at a radius approved by the city surveyor, and extended ten (10) feet each way from said corner (provided it be at the junction of two streets), and have laid their flag walk up to this curb.

SEC. 22. *Hearing Required.* Whenever any owners or proprietors of any land abutting upon any street or portion thereof shall petition the Common Council that such street or portion of such street be paved or repaved, with paving or other macadam in general use, specifying in such petition the street or portion of such street as is desired to be paved or repaved, and specifying the kind of material it is desired shall be used in such paving or repaving, the Common Council shall cause a notice signed by the Mayor or City Clerk describing in general terms the proposed improvement, and specifying a time and place when and where all persons interested may appear and be heard by the Common Council relative thereto, which notice shall be published not less than two times in some daily newspaper published in said city, the last publication to be not more than three days before said day of hearing.

At the time and place mentioned in said notice, and at any adjournment thereof, said Common Council shall hear all persons interested, who may appear and desire to be heard.

SEC. 23. *When Materials Other Than Macadam Used.* If after such hearing, said Common Council shall resolve to pave or repave such street or portion of such street, including that portion contiguous to lateral or intersecting streets, with materials other than macadam commonly in use, it shall cause a map or maps to be prepared showing the street or portion of such street as it shall order paved or repaved with the boundaries of properties of all adjoining proprietors abutting on the street or portion of the street proposed to be paved or repaved, and shall cause to be prepared plans and specifications showing the kind and quality of paving and the manner of making and applying the same, and upon the approval and adoption of such vote, maps, plans and specification, shall cause said improvement to be made. Immediately upon the completion of said paving or repaving, the authority under whose supervision and direction such paving shall have been made, shall return said maps, plans and specifications to the Common Council, together with a report of the cost of such paving or repaving, and an estimate of the part of the cost of such work which by law or contract any company owning or operating a street railway in said street or portion of such street so paved or repaved is liable to pay.

SEC. 24. *Report to be Referred.* Upon receipt of such report with accompanying maps, plans and specifications by the Common Council the same shall be referred to the board of Street Commissioners.

SEC. 25. *Assessment of Benefits and Damages.* Said board of Street Commissioners shall thereupon proceed in the manner prescribed by section 50 of the charter of said city to make an assessment of benefits and damages for the cost of paving or repaving said street or portion of said street so paved or repaved, not including such portion of said cost as is borne by any street railway company, upon the owners of the land adjoining said street or portion of said street so paved or repaved.

SEC. 26. *Proportion Borne by Property Owners.* Not more than two-thirds of the cost of such paving or repaving, not includ-

ing therein such portion of said costs as is provided by law shall be borne by any street railway company owning or operating a street railway in said street or portion of said street paved or repaved, shall be assessed upon the proprietors of land adjoining said street paved or repaved, and the portion not so assessed shall be assessed upon the city at large.

CHAPTER XXII.

STREET IMPROVEMENT FUND.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *Street Improvement Fund.* That the amount which was appropriated by the city at its annual meeting in 1883, for the purpose of creating a fund to defray the expenses of laying sidewalks, curbs and gutters, and repairing the same, when the owners or occupiers of the land and buildings fronting on such sidewalks and gutters shall have neglected or refused to comply with the order of the Common Council to lay such sidewalks, curbs and gutters, or to repair the same, and all sums of money now due to said city for such work, and such further sums as the city shall hereafter appropriate for such purpose, shall be and remain a permanent fund, to be known as "the street improvement fund."

SEC. 2. *Cost of Walks, etc.* All bills for laying sidewalks, curbs and gutters and repairing the same, which shall be contracted by the city by reason of the owners or occupiers of the land and buildings fronting on such sidewalks and gutters, neglecting or refusing to comply with the order of the Common Council in relation thereto, shall be paid from said fund.

SEC. 3. *Receipts.* All sums now due, and all sums which may hereafter become due to the city for said work, shall, when collected, be deposited to the credit of said fund.

SEC. 4. *Benefits and Damages.* Whenever an assessment of benefits and damages shall be made on account of the laying out, alteration, construction, extension, enlargement, discontinuance or exchange of any street, highway, public walk or avenue in said city, the benefits so assessed, when collected, shall be deposited to the credit of said fund, and the damages so assessed shall be paid from said fund, and when the benefits so collected shall exceed the damages paid, the excess of such benefits shall be transferred to the street department to pay for the working of said street, highway, public walk or avenue, and when the damages awarded shall exceed the benefits, the excess of damages so awarded shall be repaid to said fund from the street department appropriation.

SEC. 5. *Treasurer to Report.* The treasurer shall present a statement of the receipts, disbursements and balance of said fund with his annual report to the Common Council.

CHAPTER XXIII.

STREET LIGHTING.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *Public Street Lamps.* The public street lamps of the city shall be under the care and control of the Committee on Street Lighting, subject to the orders and instructions of the Common Council. No public street lamp shall be erected, changed, altered, or removed without the consent of the Common Council.

SEC. 2. *Map of Street Lights and Record.* The Committee on Street Lighting shall cause to be made a map of the city showing thereon the location of each public street lamp and denoting on said map on the point where each and every lamp is located a number, which number shall be duplicated in stencil on the pole supporting the said lamp as represented on the map. The numbers herein defined shall each be preceded by the number of the ward in which such lamp is located. Said committee shall also keep a book in which shall be noted the number and location of each and every lamp within the city together with the information as to the date such lamp or lamps was ordered erected by the Common Council, and all changes, alterations, or removals of any and all lamps. Said book shall be and remain in the custody of the City Clerk when not in use by the committee, and shall be deemed a part of the city records.

SEC. 3. *Lamps Designated.* Whenever the Committee on Street Lighting shall report to the Common Council any matter in relation to the erection, change, alteration or removal of any street lamp, the committee shall incorporate in said report the number and location of the lamps to which their report refers.

SEC. 4. *Penalty for Injuring Street Lighting Apparatus.* Any person who shall willfully and maliciously cut, break, injure, destroy or deface any gas light, lamp, lantern, post, or frame, erected or maintained by the Common Council for the purpose of lighting the streets of said city, or shall light or extinguish any public gas lamp or other light without proper authority, or in any way willfully or maliciously interfere with the proper use or management of the public lights in said city, shall forfeit and pay a penalty of fifteen dollars for each offence.

CHAPTER XXIV.

SUPPLIES.

Be it Ordained by the Common Council of the City of New Britain:

SECTION 1. *Office Supplies.* It shall be the duty of all officers and departments of the City, whose office supplies are paid for from the general funds of the City, the bills for which are to pass through the hands of the claims committee of the Common Council to furnish the City Clerk with a detailed statement of the supplies needed by them from time to time. The clerk shall submit said statement to the committee on supplies for their approval, and if approved by said committee, the clerk shall procure the said supplies to the best advantage of the City, and deliver the same to the officers or departments to which the same belongs.

SEC. 2. *Order Blank.* In ordering the said supplies the clerk shall have an order blank on which he shall clearly state a list of the supplies needed properly addressed to the party or parties who are to furnish said supplies. Said party or parties, in rendering the bills for the said supplies furnished by them, shall return said order attached to the bill or bills rendered, or the same will not be approved by the claims committee.

SEC. 3. *Supplies Other Than Office Supplies.* All officers and Departments having power to purchase supplies other than office supplies shall supply themselves with order blanks to be used by them for their respective offices and departments, after the same manner as stated above.

SEC. 4, *When Bills Not Binding.* Any bill contracted except as above provided, shall not be legal or binding on the City of New Britain.

CHAPTER XXV.

TAXES.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *Tax.* Whenever said city shall lay a tax, the same shall be levied upon the polls and ratable estate liable to taxation therein, as set and entered in the assessment list of the town of New Britain last made and completed unless otherwise specified in the vote laying said tax.

SEC. 2. *City Assessment List; Finance Committee to Act as Board of Relief; Duty of Rate-bill Maker.* It shall be the duty of the finance committee of the Common Council, when any city tax shall be laid, to cause to be prepared by some proper person to be called the city rate-bill maker, a full and complete city assessment list, in preparing which list no change shall be made from the valuations in said town list, *provided*, however, that when it shall appear that any real estate, assessed in said town list as one parcel, is situated partly within and partly without said city, or that any real estate situated wholly within said city has been omitted from said town list, or that any real estate has changed ownership since said town list was made, then in either of said cases, the finance committee of the Common Council shall apply to one or more of the town assessors for the time being, who shall assess the value of such real estate, and the same shall be placed in the city assessment list at the valuation so established, and the value as so fixed of any transferred real estate shall be deducted from the list of the person in whose name it stood on said town assessment list. The said city list being so prepared, shall be deposited with the City Clerk, and, within twenty days thereafter, the finance committee shall meet at some convenient place in said city, having given notice of the time and place of such meeting in a newspaper in said city at least ten days before holding the same, to hear and act upon the complaints of

all persons or corporations claiming to be aggrieved by such amendatory action of said assessors or their failure to amend said list on application as aforesaid, and for that purpose shall have the powers of town boards of relief; and said city assessment being so perfected by the finance committee and certified by them, shall be lodged with the City Clerk, and shall be the basis of taxation by said city until the next town assessment shall have been made and completed. It shall also be the duty of said rate-bill maker to make out and certify a rate-bill setting forth the proportion which each taxable person or corporation shall pay according to law.

SEC. 3. *Rate-bill Maker to be Sworn; Compensation* The city rate-bill maker shall be sworn to faithfully discharge the duties of his office, and said rate-bill maker and assessors shall receive such reasonable compensation as the Common Council shall allow.

SEC. 4. *Warrant for Collection of Taxes* When said rate-bill shall have been made out, the Mayor of said city or one of the aldermen thereof, shall issue his warrant for the collection of the same, directed to the collector, commanding and empowering him to collect and pay the same to the City Treasurer within a time limited therein, which shall not be less than three months from the date of such warrant.

SEC. 5. *Auditor to Report Unpaid Taxes.* It shall be the duty of the City Auditor, in auditing the accounts of the City Collector, to ascertain the amount of taxes uncollected and due the city on each and every city rate-bill, and also the amounts due the city on all warrants for the collection of assessments on account of public improvements of all kinds, and to report the same to the Common Council.

SEC. 6. *Abatements.* The Finance Committee shall have power, subject to the approval of the Common Council, to abate the taxes of such persons in said city as are poor and unable to pay the same, and of such others as it may, in their judgment, seem proper to abate.

SEC. 7. *Tax Collector to Report Back Taxes, etc.* It shall be the duty of the collector to report to the corporation counsel on the first Monday of September, 1899, and the first Monday of September of each year thereafter, all taxes upon property, all sewer and street improvement assessments, and all poll taxes that have not been abated according to law, and which have been due and unpaid for a period of two years; also all assessments upon property which have been due and unpaid for a period of three years, and it shall be the duty of the corporation counsel to proceed forthwith to take all legal steps necessary to enforce the payment of said taxes and assessments. In special cases in which it is found that the above provision works a hardship, the period of assessments may be extended not exceeding two years by a three-fourths vote of the Common Council, on appeal of the aggrieved debtor, and the collector directed by the said Common Council to omit from his annual report to the corporation counsel the names of such parties until the expiration of the additional two years granted by vote of said Common Council.

SEC. 8. *Delinquent Tax Payers, Etc.* It shall be the duty of the collector to report to the Common Council on the first Monday of October, 1899, and on the first Monday of each quarter thereafter, the names and addresses of all persons liable to pay taxes and assessments to said city, and who have neglected to pay the same for one year after the same became payable, and he shall likewise report to the Common Council the names and addresses of all persons who shall have neglected to pay their sewer or street improvement assessments for a period of sixty days after the same became due and payable.

SEC. 9. *Collector to Pay Treasurer.* It shall be the duty of the City Collector to pay to the City Treasurer all moneys received by him, semi-monthly, or as soon as, and whenever the amount collected shall exceed the sum of one thousand dollars ($1,000.00).

No provision of Section 4 of Chapter XXV. shall be construed as conflicting with this section.

CHAPTER XXVI.

TRADE.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *Licenses.* No person except those exempt by statutes of the State shall vend upon the public streets of said city, any groceries, provisions, fruits, goods, wares or other merchandise at any private or public sale or auction, or shall peddle or solicit sales of said articles of merchandise from house to house within said city, unless such person shall have a license from the Common Council or the license committee thereof, and the following sums of money shall hereafter be paid as such license fees by all persons receiving licenses from the license committee or the Common Council:

For vegetable and fruit peddlers, $2.00 per month or fraction thereof.

For clothing dealers with teams, $2.00 per month or fraction thereof.

For dry goods dealers with teams, $2.00 per month or fraction thereof.

For cigar and tobacco dealers with teams, $2.00 per month or fraction thereof.

For boot and shoe dealers with teams, $2.00 per month or fraction thereof.

For pack peddlers, $2.00 per month or fraction thereof.

For tinware peddlers with teams, $2.00 per month or fraction thereof.

For tinware peddlers with push carts, $1.00 per month or fraction thereof.

Provided that this section shall not extend to sales, by farmers or gardeners, of the products of their farms and gardens, or to fish venders.

Such peddlers and street venders, either with or without teams, shall be licensed to do business only between the hours of seven o'clock a.m., and four o'clock p.m. Each peddler or vender shall procure a badge, with a number plainly engraved or fastened thereon, from the chief of police, for which he shall deposit with said chief of police the sum of $2.00 as security therefor, and shall wear such badge in a conspicuous place.

Any person offending against any provision in this section shall forfeit and pay a penalty of $10.00 for each offence.

SEC. 2. *Additional Subjects.* The following sums of money shall hereafter be paid as license fees by all persons receiving licenses from the license committee or the Common Council for the following subjects:

Opera House, per year, $50.00.

Circus, large, per day, $50.00.

Circus, small, per day, $25.00.

Circus, dime, per day, $10.00.

Circus, dime, each additional day, $5.

Merry-go-round, per day, $2.00.

Merry-go-round each additional day, $1.00.

Street fakirs, per day, $2.00.

Medicine men, per day, $6.00.

Wrestling matches, per day, $2.00.

Hacks and busses, per horse, per year, $1.00.

Keeping or selling gun powder, per year, $5.00.

Rent of stores, museums, per day, $2.00.

Each additional day, $1.00.

Entertainments given by out of town parties in other than opera houses, churches, etc., per day, $2.00.

Auctioneers per year or fractional part thereof, $20.00.

SEC. 3. *Venders Licensed by State.* No license shall be required of such itinerant venders and junk dealers as are required

to be licensed under the statutes of the State of Connecticut, though the same person may be required to take out a separate license for the carrying on of each of the different occupations above specified.

SEC. 4. *Collection of Rags, Etc.* No person shall engage in the business of collecting rags, paper, glass, cinders or other waste matter within the city of New Britain, or go about in the streets, alleys and public places in said city, for the purpose of collecting, purchasing or bartering for the same, without first having obtained a license so to do from the Chief of Police of said city, which said licenses may contain such conditions as he may deem expedient, and be revocable at the pleasure of the said chief, upon notice, subject to an appeal to the license committee. The fee for such license shall be two ($2.00) dollars per annum, and no person so licensed as a ragpicker shall pursue his said business between the hours of six in the evening and seven in the morning. Such license shall be countersigned by the City Clerk, and a record made by him of the same. The Chief of Police shall provide each ragpicker with a badge and a number for the wagon.

SEC. 5. *Keeping of Gunpowder.* No person shall keep or have for sale, or any other purpose, in any house, store, or other building within the limits of said city, more than one pound of gunpowder, without previous license of the Common Council or the license committee thereof.

SEC. 6. *Keeping or Selling Gunpowder.* No person licensed to keep or sell gunpowder pursuant hereto, shall have on hand at any one time more than fifty pounds in weight, and the same shall be kept in a chest of copper, tin, or some other incombustible material, marked on the front with the word "gunpowder," which chest shall have two stout handles and a tight lid or cover with hinges, and no person shall sell any gunpowder except between sunrise and sunset.

SEC. 7. *Transportation of Gunpowder.* No person without license shall transport any gunpowder through said city or any street

thereof, at any other time than between the rising and setting of the sun, not in quantities of more than one hundred pounds at any one time, in any one vehicle, and only in accordance with the terms of the permission, which shall be first obtained of the Chief Engineer of the Fire Department.

SEC. 8. *Penalty.* Any person offending against any of the provisions of the three preceding sections of this ordinance shall forfeit and pay a penalty of not less than twenty nor more than fifty dollars for each offence, and a like penalty for every day that such person shall have, keep or possess any gunpowder contrary to the provisions of said sections.

SEC. 9. *Nitro-glycerine or Dynamite.* No person without license shall have, keep, or possess, or bring within the limits of said city any of the compounds known as nitro-glycerine, or dynamite, and any person so offending, shall forfeit and pay a penalty of fifty dollars, and a like penalty for every day that such person shall have, keep, or possess any of said compounds within said city.

SEC. 10. *License Committee to Fix Fees.* The License Committee of the Common Council shall prescribe fees (subject to appeal, by any party interested, to said Council) for issuing licenses for any of the purposes aforesaid.

SEC. 11. *Sealer of Weights and Measures.* There shall be appointed annually in the month of April by the Common Council a Sealer of Weights and Measures, whose duty it shall be to annually inspect, prove correct, and seal all measures, scales, steelyards and weights used for weighing or measuring by any person in doing business within said city of New Britain. All such measures, scales, steelyards and weights as are found or made to correspond and agree with said standards shall be marked or sealed with the letters N. B. S. In addition to said annual inspection said Sealer of Weights and Measures shall when requested by any person, try and test by said standards the measures, scales, steelyards and weights used by any person doing business within said city.

SEC. 12. *Penalty.* Any person who shall, within the limits of said city, use any weight or measure to ascertain the length, weight or quantity of any article by him sold, which weight or measure has not been marked or sealed by said Sealer of Weights and Measures in the manner provided in the eleventh section of this ordinance, or who shall knowingly or with intent to defraud, sell any article as or for a greater weight, measure or quantity than such article does in fact weigh or measure according to said standards, shall forfeit and pay a penalty of not less than two nor more than twenty dollars.

SEC. 13. *Compensation of Sealer of Weights and Measures.* The owner of the several measures, scales, and steelyards and weights shall pay said Sealer of Weights and Measures for each annual inspection made as required by section eleventh of this ordinance:— for testing each set of weights, twenty-five cents; set of measures from gill to gallon, twenty-five cents; each yardstick, five cents; set of measures, dry, twenty-five cents; for each scale, balance, or basket, the sum of twenty-five cents each; for each weight or measure less than a set, the sum of five cents each. When an additional inspection shall be made as provided in section eleven of this ordinance, the expense of such inspection shall be paid by the person requesting the same, unless such measures, scales, steelyards and weights are found to be incorrect, in which case the expense of such inspection shall be paid by the owner.

SEC. 14. *To Visit All Places.* The Sealer of Weights and Measures shall visit from time to time, as he shall deem necessary, all places in said city where scales, weights or measures of any kind are used in buying or selling any article of merchandise, and inspect such scales, weights or measures, as have not been inspected within one year, and proceed as provided in section eleventh.

SEC. 15. *Inspection of Scales, Etc., of Peddlers.* It shall be the duty of the Sealer of Weights and Measures, and it shall be lawful for him to enter any store, house, or any other building or yard in said city, where weights and measures are used for the

purpose of buying or selling any article, at any reasonable hour, to inspect any scales, weights or measures contained therein, and it shall be lawful for him to inspect the scales, weights, or measures of any itinerant merchant or peddler of fruits, vegetables, or other articles of merchandise in said city.

SEC. 16. *Weighing of Hay and Coal When Requested.* All persons, their agents or drivers, selling hay or coal in the city of New Britain shall, whenever requested by the purchaser of such hay or coal, give to him the weight thereof, and if such purchaser request it, shall cause such hay or coal and the cart, wagon or other vehicle containing the same to be forthwith weighed by the Sealer of Weights and Measures on such scales as said Sealer may select, and after delivering such hay or coal shall forthwith before taking another load return said cart, wagon or other vehicle to the same scales and cause it to be weighed thereon. Said Sealer shall then give such purchaser a certificate of the weight of such hay or coal, and if the weight certified to by said Sealer is not less than the weight previously given by such seller, agent or driver, said purchaser shall pay the fees of said Sealer of Weights and Measures, and shall pay the driver twenty-five cents for the detention thus caused; but if the weight certified to by said Sealer is less than the weight previously given by such seller, agent or driver, then all of said expenses shall be paid by such seller of such hay or coal.

SEC. 17. *Weighing of Hay and Coal for Benefit of Public.* Said Sealer of Weights and Measures shall also as often as he deems it necessary, inspect for the benefit of the public, the weight of hay or coal in the manner above described. He shall not however make less than five and not more than twenty-five tests in any one quarter of the fiscal year of the City. If the weight certified to by said Sealer is not less than the weight previously given by such dealer, agent or driver, the City shall pay the fees of said Sealer and weigher and shall pay the driver twenty-five cents for the detention thus caused; but if the weight certified to by said Sealer is

less than the weight previously given by such seller, agent or driver, then all such expenses shall be paid by the seller of such hay or coal.

SEC. 18. *Refusal to Have Hay or Coal Weighed; Penalty.* All persons, their agents or drivers, selling hay or coal, who shall neglect or refuse to comply with the request of the purchaser of such hay or coal to give such purchaser the weight of such hay or coal or who shall refuse to have the cart or wagon containing such hay or coal to be forthwith weighed by the Sealer of Weights and Measures on request, as provided for in sections 16 and 17 of this Ordinance, shall be fined not less than ten nor more than twenty-five dollars, one-half of which shall be paid to the person or persons giving the necessary information for conviction under this section.

SEC. 19. *Record to Be Kept; Report; Fee.* The Sealer of Weights and Measures shall make a record of all acts performed by him relating to the weighing of hay or coal, the date thereof and the names of the sellers and purchasers of such hay or coal, and shall make a quarterly report thereof to the Common Council. The fee of said Sealer of Weights and Measures for weighing hay or coal shall be thirty-five cents per weighing.

SEC. 20. *Policemen to Assist Sealer of Weights and Measures.* It shall be the duty of every policeman to assist the Sealer of Weights and Measures when required, and report to him any violation within his knowledge, of any provisions of this ordinance relating to the use of weights and measures and the weighing of hay and coal, and the Sealer of Weights and Measures shall report the same to the Prosecuting Attorney for prosecution forthwith.

SEC. 21. *Penalty.* Every person who shall hinder or obstruct such Sealer of Weights and Measures in the discharge of his duties herein imposed upon him, shall forfeit and pay for each offence a penalty of ten dollars.

CHAPTER XXVII.

WATER.

Be it Ordained by the Common Council of the City of New Britain:

SECTION 1. *Acting Water Commissioner; Compensation of Commissioners.* The chairman of the board of water commissioners shall be the acting commissioner and to him the discharge of the active duties of the board shall pertain, including the receipt and dischargement of all moneys and funds. Such acting commissioner shall receive compensation for his services at the rate of one thousand dollars per annum, and the sum of three dollars per day for each day of actual service, shall also be received by each of the other commissioners whenever his services shall be required.

Whenever one of the water commissioners shall also be clerk of the board of said commissioners, his salary as such clerk shall not prevent him from receiving the compensation for other services outside of official duties as clerk, as member of said board.

SEC. 2. *Annual Report to the Council.* It shall be the duty of the Water Commissioners to report, annually, to the Common Council, at its first meeting in April, a classified statement of all sums received by them from all sources, and all expenditures incurred by them, together with a general exhibit of the existing state of the water works and the finances relating thereto, which report, having been duly audited, shall be recorded by the City Clerk and published in such manner as the Common Council shall direct. They shall also report at any time upon call of the Common Council.

SEC. 3. *Water Commissioners to Give Bonds.* Each of the Water Commissioners shall give bond, with at least one sufficient surety, for the faithful performance of his duty, the Acting Commissioner in the sum of fifteen thousand dollars, and the others in the sum of five hundred dollars each.

SEC. 4. *To Give Consent to Use of Water.* Any person who shall cause or allow water from the water works of said city to be introduced upon premises owned or occupied by him, or who shall use an additional quantity of said water, or shall use it for a purpose different from that for which it has previously been used by him, without first obtaining the written consent of the Chairman of the Board of Water Commissioners of said city, shall forfeit and pay for each offence a penalty of not less than five nor more than twenty-five dollars.

SEC. 5. *Penalty for Plumbers; Changes in Water Service.* Any person who shall do the plumbing, or any part thereof, necessary to be done for the commission of any of the acts mentioned in section four, knowing that the consent therein required has not been obtained, shall be deemed guilty of a violation of this ordinance and shall be subject to the penalty above named. All plumbers must make monthly reports in writing to the Chairman of the Board of Water Commissioners of all changes and additions made to the water service. Any plumber who shall fail to so report before the 10th day of the succeeding month, shall be guilty of a misdemeanor and shall be fined five dollars for each offence.

SEC. 6. *Penalty for Connecting With Water Pipes* Every person who shall without special authority from the Commissioners, tap or make any connection with any street main or service or other distributing pipe connected with the water works, shall be guilty of a misdemeanor and be fined not exceeding thirty dollars for each offence.

SEC. 7. *Penalty for Waste of Water.* No owner or occupant of any premises shall allow unnecessary waste of the public or "Shuttle Meadow" water; and whenever such waste occurs, such owner or occupant shall forfeit and pay for each offence a penalty of not less than five nor more than twenty-five dollars. The Water Commissioners of said city shall be the sole judges of what is an unnecessary waste of water.

SEC. 8. *When Water Shall Be Shut Off.* The Water Commissioners shall cause the water works of said city to be shut off from the premises of any person or corporation neglecting or refusing to pay rent for the use of said water within the time limited for the payment thereof in the rules and regulations adopted by the Commissioners for said water works, or for the willful neglect or violation of any of said rules and regulations; and any person who, without written consent of the Chairman of said Board of Water Commissioners, shall again let on said water on the premises of the person or corporation so neglecting or offending, shall forfeit and pay a penalty of not less than five nor more than twenty-five dollars for each offence.

SEC. 9. *Boating, Etc., on Shuttle Meadow Lake Prohibited.* That for the preservation of the purity of the water at Shuttle Meadow Lake, so-called, in the Town of Southington, and of the health of the city, all boating and sailing and keeping of boats or rafts, upon said lake, and fishing therein from boats or rafts, and skating, driving or riding upon the ice of said lake with horses or other animals, and the throwing into the water of said lake any dead fish or animal, or refuse of any kind is hereby prohibited, and any person who shall violate any of the provisions of this section of this ordinance shall be guilty of a misdemeanor, and shall be liable to a fine of not more than fifty dollars for each offence.

SEC. 10. *Exemptions of Water Commissioners and Employees.* The provisions of section nine of this ordinance, except as to fishing from boats or rafts on said lake, and skating, shall not apply to persons in the employ of said city of New Britain or the Water Commissioners thereof while engaged upon said lake in maintaining, repairing and improving the water works of said city, or to the keeping or maintaining upon said lake by said Water Commissioners of boats or rafts to be used for said purpose of maintaining, repairing or improving said water works.

SEC. 11. *Penalty for Opening or Obstructing Access to Hydrants.* If any person except firemen, for uses of the fire department, shall open any public hydrant or stop-cock without the consent of the Commissioners, or if any person shall place any building materials or other articles, or rubbish, in such manner as to hinder or obstruct the free access to any such hydrant or stop-cock, every person so offending shall be guilty of a misdemeanor and be fined not exceeding thirty dollars for each offence.

SEC. 12. *Permit to Dig Up Street Required.* The Water Commissioners shall require property owners wishing to connect their premises with the water mains to show a permit to dig up the street, signed by the Street Commissioner.

SEC. 13. *Laying of Water Mains Outside City and in Unaccepted Streets.* The Water Commissioners be and they are hereby authorized to lay water mains in streets or highways outside the city lines and in unaccepted streets within the city lines where the necessary security is given for returns and the grade will warrant it.

SEC. 14. *Petitions, How Acted Upon.* Petitions for water mains in streets or highways outside the city limits, or in unaccepted streets in the city limits, when presented to the Common Council, shall be referred to the committee on water and light, and said committee shall consult with the Water Commissioners before the petition shall be anthorized by the vote of the Common Council.

SEC. 15. *Selectmen to Be Consulted.* Before water mains are laid outside the city lines, the Water Commissioners shall consult with and make necessary arrangements with the Board of Selectmen of the town concerning the excavation of the street or highway and the protection of the same during the progress of the work.

SEC. 16. *Duty of Water Commissioners.* It shall be the duty of the Water Commissioners of said city to see that the provisions of this ordinance are enforced.

CHAPTER XXVIII.

AN ORDINANCE TO CARRY INTO EFFECT THE REVISION OF THE ORDINANCES.

Be it Ordained by the Common Council of the City of New Britain:

SECTION 1. *Revised Ordinances, When to Take Effect.* On and after the first day of August, 1896, the revision of the ordinances of said city, adopted on the 15th day of July, 1896, as the same have been revised, arranged and incorporated together, by the Ordinance Committee of the Common Council passed July 15, 1896, shall be and remain the ordinances of said city, and be entitled the Ordinances of the City of New Britain.

SEC. 2. *Revised Ordinances Not to Be Published in a Newspaper.* And whereas, the said ordinances of said city require that each ordinance shall be published in a newspaper in said city before the same shall be valid and operative, nevertheless the revision of the ordinances as aforesaid shall without being published in any newspaper be valid and operative, notwithstanding said ordinance; provided, however, that this particular ordinance shall be published as by the ordinances required.

SEC. 3. *Record Copy.* One copy of said ordinances as published by said Committee on Ordinances, shall be by them deposited, and thereafter kept in the office of the City Clerk, who shall annex thereto a certificate under his hand and the seal of said city, that the ordinances therein contained are the ordinances of said city, and such copy shall be an authentic record of such ordinances.

CHAPTER XXIX.

SUBWAY COMMISSION.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *Election of Commissioners.* The Board of Subway Commissioners shall consist of three electors of said city, to be elected by the Common Council, one member to serve until the third Wednesday of April, 1900, or until his successor is duly elected and qualified. One member until the third Wednesday in April, 1901, or until his successor is duly appointed and qualified, and one member until the third Wednesday in April, 1902, or until his successor is duly appointed and qualified.

The Common Council shall during the month of April, A. D., 1901, on or after the third Wednesday in said month in April in each year thereafter, elect one member of said board, who shall hold office for the term of three years from the third Wednesday of April of the year in which he was elected; and until his successor is duly elected and qualified. Not more than two members of the board shall be of the same political party.

SEC. 2. *Vacancy Filled. Removal of Members.* Whenever a vacancy shall occur in said board it shall be filled in the manner provided in the section for the appointment of members; and said Common Council may remove any member for cause.

SEC. 3. *Commissioners to Be Trustees.* Said Board of Subway Commissioners shall be the trustees of the notes, scrip or certificates of debt issued by the city for the construction and maintenance of conduits, and shall keep a record of all such notes, scrip or certificates of debt issued, disposed of or pledged, and all moneys received by said board from the disposal of such notes, scrip or certificates of debts, rentals for conduits, or from any other source whatsoever, shall be by them paid over to the treasurer of said city.

SEC. 4. *Construction, Etc., of Conduits; Records and Reports; Contracts.* Said board is authorized and empowered to attend to the construction, supervision, care and management of the conduits of said city, the renting, collection of rentals for the use of said conduits by corporations or individuals, and to exercise any additional powers conferred upon them by the Common Council; and they shall keep a record of their official proceedings, and render a report of their doings to said Common Council quarterly (and oftener if requested), including a general exhibit of the state of its works, an account of sums required to be expended therefor, and such other matters of importance as may be called for by said Common Council, provided that said board shall always be under the direction of the Common Council of said city, and all contracts proposed to be made by it shall be submitted to the Common Council for its approval and ratification.

SEC. 5. *Salaries.* Each member of the Board of Subway Commissioners shall receive a salary and compensation of One Hundred Dollars ($100) per annum, payable monthly, same as other city officials. The clerk of said board shall receive a salary and compensation of Fifty Dollars ($50) per annum, payable same as other city officials, said salaries to be taken from the Subway Fund. A member of said board may act as clerk and draw salary as such.

SEC. 6. *Bonds.* Each member of the Board of Subway Commissioners shall give a bond with at least one surety, in the sum of two thousand ($2,000) dollars for the faithful performance of his duty.

SEC. 7. *Recommendations.* All recommendations of the Board of Subway Commissioners to the Common Council in regard to the building of conduits shall contain a careful estimate of the cost of construction, and all bids and proposals for construction or other work, to be submitted to the Common Council for its ratification.

SEC. 8. *Wires Required in Conduits.* All parties and corporations owning or operating electric wires except such as are used in

operating signals on any railroad, or wires used in connection with the operation of any railroad by means of electricity upon a third rail system, over or along the streets and highways in said city where main conduits are built and constructed, are hereby required to place such electric wires underground in said conduits and to remove the poles carrying only such wires, within two months after this ordinance goes into effect and written notice thereof has been given to said parties and corporations by the clerk of said city.

SEC. 9. *Rentals.* The rentals for the use of conduits shall be as follows, to wit: Three and one-half ($.03½) cents per foot until January 1, 1902.

SEC. 10. *Rules and Regulations.* The rules and regulations relating to the use and occupancy of the subway system, adopted by the Common Council, February 21, 1901, and by the subway commission February 23, 1901, are hereby amended by certain changes to rules and regulations dated May 29, 1901, submitted to this meeting and on file, and rules and regulations as amended are hereby adopted, ratified and confirmed.

SEC. 11. *Penalty.* Any party or corporation who shall fail or neglect to comply with the provisions of section ten (10) of this ordinance shall forfeit and pay to the use of said city a penalty of fifty dollars for each week during which such failure or neglect shall continue, to be recovered by an action of debt or other proper action in the name of the city, brought to the city court of said city, and each week's continuance of such failure or neglect shall constitute a separate offence but the provisions of this section shall not prevent said city from pursuing any remedy it would otherwise have in law or equity to enforce the provisions of said section ten (10).

SEC. 12. *Pay of Laborers.* It shall be the duty of the Clerk of the Board of Subway Commissioners whenever laborers are employed in the Subway Department, to make out a pay roll on which shall be entered the names of every workman, the number of hours of work performed by each for the preceding week, and the place where such work was done, including teams, if any, the price per

hour and amount. And when such pay roll shall have been approved by the Mayor, an order shall be drawn by the Auditor for the full amount of the same, and the Auditor shall deliver the same to the City Clerk, who shall draw the money on said order and pay the workmen on or before Saturday of each week, taking a receipt for the same from each workman.

CHAPTER XXX.

RESTRICTION ON COMMISSION.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *Bond of Chairman of Police Board.* The Chairman of the Board of Police Commissioners shall furnish bonds to the city in the sum of $1,000 for the faithful performance of his duty, said bond to be renewed each year, upon his election as such chairman. The cost of procuring said bond shall be paid by the city.

SEC. 2. *Auditor to Make Quarterly Report.* The City Auditor shall make detailed quarterly reports to the Common Council of the financial condition of all departments whose business is transacted through him.

SEC. 3. *Examination of Books of Departments.* Committee of three members each, of the Common Council, to be named by the Mayor, shall annually (or oftener if deemed necessary) examine the books, accounts, vouchers and records of the water, sewer, fire and police commissioners, and report to the Common Council the results of their examination.

SEC. 4. *Furnishing Supplies, Etc.* Members of the various commissions of the city are prohibited from directly or indirectly furnishing supplies or doing work in their departments, except such as come within the scope of their official duties. Violation of this ordinance shall be cause for removal.

CHAPTER XXXI.

COMMITTEE OF PUBLIC WORKS.

Be it ordained by the Common Council of the City of New Britain:

SECTION 1. *Membership of Committee of Public Works.* There is hereby created a Committee of Public Works for said City, comprised of seven members, as follows, to wit: The chairman of the Committee on Streets, ex-officio, the Street Commissioner, ex-officio, one member of the Board of Water Commissioners, one member of the Board of Sewer Commissioners, one member of the Board of Subway Commissioners, said last three members to be appointed by their respective boards at their first meeting in the month of May, the Superintendent of the Water Department, ex-officio, and the Superintendent of the Sewer Department, ex-offiio.

SEC. 2. *Election of Chairman and Clerk.* Said Committee of Public Works shall choose annually their own chairman and clerk and shall meet at least monthly, and oftener if desired, upon the call of the chairman of said committee or of any two members thereof.

SEC. 3. *Duties of Committee.* Said Committee of Public Works shall consider the methods, plans and times of doing all work in and upon the streets of said city and shall endeavor so to arrange for the doing of such work as to avoid confusion, waste and delay in the execution thereof.

SEC. 4. *Changes in Ordinances.* Said Committee of Public Works with the Committee on Ordinances shall recommend such changes in the ordinances as may be necessary to require the different commissions in said city to so plan their respective works and improvements as not to conflict with other department work in the same locality and to prohibit any work to be done upon the city streets until seasonable notice thereof has been given, so that all the city departments may, as the interests of the city may require, anticipate such work and arrange therefore.

STANDING RULES OF THE COMMON COUNCIL.

OPENING OF COUNCIL.

I. The Mayor, or in his absence the President *pro tem*, or if both are absent, the Senior Alderman present shall preside, and shall call the members to order; and upon the call of the roll and the appearance of a quorum, cause the records of the previous meeting to be read, (if they have been printed or typewritten and each member furnished with a copy, the reading can be omitted), an opportunity shall be given that any mistakes in the same may be corrected.

ORDER OF BUSINESS.

II. The business in order after the disposal of the records of the previous meeting, shall be: first, reception and disposal of petitions; and each petition and memorial shall be referred to a committee, unless the Council shall otherwise order; second, reading and disposal of reports of committees, reports of standing committees to have preference; third, unfinished business, including "orders of the day"; fourth, new business; fifth, adjournment.

III. All communications, reports, etc., to the Council, whether written or printed, shall be read unless it is voted to dispense with their reading.

IV. Notice of hearings on building lines, changes of grades, opening of or acceptance of streets, etc., before the Common Council, shall set the time at least one half hour before the regular meeting time, and the maps and profiles showing such changes to be there for inspection, and the City Surveyor and Chairman of the Committee having the same in charge, are to be in attendance, to give all necessary information to interested parties.

V. Hearings before the Common Council are to open after roll call, and the disposal of the records of the previous meeting.

PRESIDING OFFICER.

VI. The presiding officer shall preserve order and decorum; may speak to questions of order, or other questions in preference to other members; and shall decide questions of order, subject to appeal to the Council by any member.

COMMITTEES—HOW APPOINTED.

VII. Special Committees shall be appointed by the presiding officer, unless otherwise specially directed; and other Committees may be chosen by nomination or resolution.

THOSE OFFERING PETITIONS, ETC., TO ENDORSE THEM.

VIII. Every petition, resolution, or memorial, shall be offered by some member of the Council, who shall endorse thereon his name, and hand the same to the presiding officer or City Clerk before action by the Council.

RULES OF DEBATE.

IX. When a member of the Council is about to speak, he shall rise from his seat and respectfully address the presiding officer, and must be recognized by him before he has the right to the floor, (unless by a vote of the Council). Being recognized, he shall confine himself to the question and avoid personalities or imputing to any member improper motives; and during debate, or when the presiding officer or a member is speaking, no member shall hold private discourse, or pass between the speaker and the Chair.

CALLS TO ORDER.

X. If any member, in speaking or otherwise, transgresses the rules of the Council, the Chair shall, or any member may, call him to order, in which case the member so called to order, shall sit down unless permitted to explain. In case of an appeal to the Council, and a decision in favor of the member called to order, he shall be at liberty to proceed; otherwise he shall not be permitted to proceed without leave of the Council.

MOTIONS.

XI. When a motion is made it shall be stated by the presiding officer, or being in writing, shall be read aloud before being debated. Every motion shall be reduced to writing at the request of the Chair, and every resolution or report shall be in writing and signed by some member.

MEMBERS SHALL SPEAK BUT TWICE ON A QUESTION.

XII. No person shall speak more than twice on the same question without leave of the Council, unless to explain.

WITHDRAWAL AND RECONSIDERATION OF MOTIONS.

XIII. When a motion is stated by the presiding officer, it shall be deemed to be in possession of the Council, but may be withdrawn at any time before decision or amendment, but not after amendment, unless the Council gives leave; and when a motion has been carried, it shall be in order for any member in the majority to move the reconsideration thereof, within two meetings after the one at which such motion was carried, and such motion shall take precedence of all questions, except a motion to adjourn.

PRECEDENCE OF MOTIONS RECEIVED DURING DEBATE.

XIV. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, to postpone to a day certain, to commit or amend, or to postpone indefinitely, which several motions shall have precedence in the order in which they stand arranged. The motion to adjourn shall always be in order; and that, and the motion to lay on the table, (unless to a specified time), shall be decided without debate.

YEAS AND NAYS.

XV. The yeas and nays shall be taken when called for by three members; and the names of the members shall be called in the order of wards.

WHEN MEMBERS MAY BE EXCUSED FROM VOTING.

XVI. No member shall be excused from voting on any question, unless he is personally interested in the result, or shall be excused by a vote of the Council; and no member shall be permitted to vote after the decision is announced by the presiding officer.

XVII. Questions arising on parliamentary ruling not covered by these rules, shall be decided by the presiding officer in accordance with Cushing's Manual.

SUSPENSION OF THE RULES.

XVIII. No rules shall be suspended, except by a vote of two-thirds of the members present.

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